Page 1		Page 3
IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO HOBART CORPORATION, et al.,) Plaintiff,) -vs-) Case No. 3:10-CV-195) WASTE MANAGEMENT OF OHIO,) INC., et al.,) Defendants.) DEPOSITION OF MICHAEL A. WENDLING, taken by me, Susan L. Bickert, a Certified Shorthand Reporter and Notary Public in and for the State of Ohio, at large, as upon Direct Examination, at the offices of Thompson Hine LLP, Austin Landing I, 10050 Innovation Drive, Suite 400, Dayton, Ohio 45342, on Tuesday, July 17, 2012, commencing at 9:30 o'clock a.m. on behalf of the Plaintiffs.	1 ON BEHALF OF DEFENDANT DAYTON TIRE & RUBBER: 2 DAVID T. MOSS, Esq. 3 Hanna Campbell & Powell LLP 3737 Embassy Parkway 4 Akron, OH 44333 tel. 330.670.7300 5 e-mail: dmoss@hcplaw.net 6 ON BEHALF OF DEFENDANT PHARMACIA CORP., f/k/a MONSANTO COMPANY; f/k/a MONSANTO 7 RESEARCH COMPANY: VICKI J. WRIGHT, Esq. (Via Telephone) 9 Krieg DeVault LLP One Indiana Square, Suite 2800 10 Indianapolis, IN 46204-2079 tel. 317.238.6263 11 e-mail: vwright@kdlegal.com 12 ON BEHALF OF DEFENDANT VALLEY ASPHALT CORPORATION: 13 MARTIN H. LEWIS, Esq. (Via Telephone) Tucker Ellis 15 1150 Huntington Building 925 Euclid Avenue 16 Cleveland, OH 44115 tel. 216.696.5657 e-mail: martin.lewis@tuckerellis.com 18 ALSO PRESENT: 19 Kaitlyn Harantschuk, Legal Assistant	Page 3
Page 2 APPEARANCES: ON BEHALF OF THE PLAINTIFFS: LARRY SILVER, Esq. Langsam Stevens Silver & Hollaender LLP 1616 Walnut Street, Suite 1700 Philadelphia, PA 19103-5319 tel. 215.732.3255 e-mail: Isilver@lssh-law.com ON BEHALF OF DEFENDANT DP&L: FRANK L. MERRILL, Esq. Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215-4291 tel. 614.227.2300 e-mail: fmerrill@bricker.com 11 ON BEHALF OF DEFENDANT CARGILL: JACK A. VAN KLEY, Esq. Van Kley & Walker, LLC 14 132 Northwoods Blvd., Suite C-1 Columbus, OH 43235 tel. 614.431.8900 e-mail: jvankley@vankleywalker.com ON BEHALF OF DEFENDANT WASTE MANAGEMENT OF OHIO, INC:: WILLIAM H. HARBECK, Esq. Quarles & Brady LLP 19 411 East Wisconsin Avenue, Suite 2040 Milwaukee, WI 53202 tel. 414.277.5000 e-mail: william.harbeck@quarles.com	1 INDEX TO EXAMINATION 2 Attorney Direct Cross Redirect 3 Mr. Silver 6 128 4 Mr. Merrill 69 5 Mr. Harbeck 96 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 4

1 (Pages 1 to 4)

			_
	Page 5		Page 7
1	INDEX TO EXHIBITS	1	Q I'm going to run through just a few
2	Wendling	2	quick instructions. It's going to be a question
	Depo. Ex. Description Page	3	and answer session. I and other attorneys when
3	1* Figure 1.3, Parcel Groupings, Streamlined 30	4	they get their turn will ask you questions, and
4	RI/FS for OU1	5	you're expected to give answers. But the answer
5	2 Color copy photograph 05.09.2012 13:06 48	6	may be "I don't know" or "I can't remember," but
6	3 Color copy photograph 05.09.2012 13:07 48	7	we're asking you to do your best to remember the
7	4 Color copy photograph 05.09.2012 13:06 48	8	information we're going to ask about. Understand?
8	5 Color copy photograph 05.09.2012 13:06 48	9	A Right, mm-hmm.
9	6 Color copy photograph 07.16.2012 14:45 50	10	Q One of the important things to do in
10	7 Color copy of Reddy Kilowatt 53	11	a deposition, you may recall from your prior
11	* Exhibit retained by Mr. Silver	12	sessions, is to answer audibly out loud. The court
12	Exhibit retained by Mr. Silver	13	reporter, although she is facing you, she may miss
13		14	if you just nod your head. So it's important for
14		15	you to talk out loud.
15		16	A Okay.
16		17	Q Do you understand that?
17		18	A Yes, mm-hmm.
18		19	Q That's good. I want to let you know
19 20		20	this is not a test.
21		21	A Correct.
22		22	Q So it's okay if you don't remember
23		23	something. It's okay if the answer is no. We're
24		24	just trying to get the information that you have
25		25	and the understanding that you have. Is that all
	Page 6		Page 8
1	MICHAEL A. WENDLING,	1	right?
2	a witness being of lawful age, having been duly	2	A It's all right.
3	cautioned and sworn, did testify upon his oath as	3	Q That's okay?
4	follows:	4	A Fine.
5	DIRECT EXAMINATION	5	Q The reason why I asked again is
6	BY MR. SILVER:	6	because I wanted
7	Q Mike, can you state your full name	7	A Okay.
8	for the record, please?	8	Q to make sure you answered out
9	A Michael A. Wendling, Allen.	9	loud.
10	Q And, Mike, can you give us your	10	A Okay. Sorry.
11	address?	11	Q No problem. Another important
12	A Present address is 260 Corkill Lane,	12	instruction in a deposition is that the questioner
13	Franklin, North Carolina 28734.	13	and the answerer, you, have to take turns. So in a
14	Q And also give us your date of birth,	14	sense what I mean by that is when we're talking
15	please.	15	if we're talking at the same, the court reporter
16	A 10/3/45.	16	goes crazy. It's harder
17	Q I'm going to this is called a	17	A I'll be easy on her.
18	deposition, and I understand you've had a couple of	18	Q Right. So wait till I finish my
19	depositions taken before?	19	question, maybe pause and then answer. And the
20	A Right.	20	questioner should do the same, wait till you get to
21	Q In a law office setting?	21	the end of your sentence before we ask you the next
22	A Right.	22	question. Otherwise she's going to get up and walk
23	Q So you've been through this in the	23	out, and it's going to be a waste of time.
24	past?	24	A All right.
25	A Right.	25	Q As I said, after I'm done with my

	Page 9		Page 11
1	questions the other attorneys in the room and	1	Miami Township.
2	they're all attorneys here except for the court	2	Q It was actually Miami Township?
3	reporter and my assistant, Kaitlyn, who will be an	3	A It was actually Miami Township.
4	attorney some day.	4	Q But it was in that vicinity of Huber
5	A Good.	5	South/Moraine/West Carrollton?
6	Q All the other attorneys will have a	6	A Right.
7	chance to ask questions.	7	Q All right. And did you have your
8	A Okay.	8	own house in Miami Township?
9	Q All right. So I just want to let	9	A My own house, right.
10	you know that. One of the important things is that	10	Q And did you eventually raise a
11	your comfort you're the star of the show today,	11	family?
12	so your comfort's important. So if you need a	12	A Raised a family.
13	break or need a drink, nonalcoholic drink, you can	13	Q And how long did you live in the
14	certainly ask for that. If you want some water	14	house in Miami Township?
15	right now we can get you water or coffee or soda.	15	A Nine years.
16	A No, I'm fine.	16	Q And that would have taken you till
17	Q But any time you feel like you need	17	when did you move into the house in Miami
18	a break or get hungry or want something to drink,	18	Township? What year was that?
19	please just let us know and we will accommodate	19	A '65. Right out of high school.
20	you.	20	Q And then nine years there would take
21	All right. Those are my instructions.	21	you to about 1974; is that right?
22	Do you have any questions?	22	A Yeah.
23	A No.	23	Q And then where did you go after
24	Q Let's start then. Tell me where you	24	that?
25	were born.	25	A After that, divorce was that year.
	Page 10		Page 12
1	A Dayton, Ohio.	1	Q Divorce in 1974?
2	Q Right in the city?	2	A 1974.
3	A Kettering.	3	Q Okay.
4	Q Okay. In Kettering?	4	A From there I moved to actually
5	A Mm-hmm.	5	West Dayton area. I can't really give you the
6	Q All righty. And where did you grow	6	address.
7	up?	7	Q That's all right. I won't need it.
8	A Kettering up till the seventh grade.	8	And then how long did you live in the
9 10	Then moved to Centerville through high school. Q You went to high school in	9 10	West Dayton area? A That was probably another that
11	Q You went to high school in Centerville?	11	was another nine years.
12	A Right, mm-hmm.	12	Q Now we're in about 1983?
13	Q Public school?	13	A Yeah. We're right there on track,
14	A Please?	14	yeah, '83.
15	Q The public school?	15	Q And then where did you go after
16	A Public school, right.	16	that?
17	Q Centerville High School?	17	A Another divorce.
18	A Right.	18	Q Okay.
19	Q And then after high school, where	19	A Moved to Trotwood area.
20	did you live?	20	Q Trotwood, Ohio?
21	A Well, after high school I moved to	21	A Trotwood, yeah. Trotwood, Ohio.
22	Moraine city, Huber South.	22	Q And how long did you live in
23	Q You mentioned two different places?	23	Trotwood?
24	A Well, Moraine Huber South is in	24	A I was there probably four years.
25	sort of Moraine, West Carrollton. Actually, it was	25	Q 1987 or so?

	Page 13		Page 15
1	A Mm-hmm.	1	Q Okay. We mentioned you went to
2	Q Then what?	2	Centerville High School. You graduated around
3	A Then I moved to further west of	3	1965?
4	let me see. That would have been what would	4	A Right.
5	that be called? Actually, it was off of Route 4,	5	Q Let me ask you about your family.
6	so it's further west of Dayton, yeah. I'm trying	6	Your last name is Wendling.
7	to name the area. It's on the tip of my tongue,	7	A Right.
8	but I can't spit it out.	8	Q Have you ever heard of the Grillot
9	Q If you remember it, spit it out	9	family?
10	later.	10	A That's my mother's side.
11	How long were you in that area further	11	Q Your mother's side?
12	west of Dayton?	12	A Mm-hmm.
13	A Another four years.	13	Q And what was your mother's name,
14	Q To about 1991?	14	maiden name?
15	A Yeah.	15	A Marjorie.
16	Q And then where?	16	Q Marjorie Grillot?
17	A Another divorce.	17	A Grillot, yeah. Well, that was her
18	Q Okay.	18	maiden name.
19	A Don't ask me how many times I've	19	Q Maiden name. And did Marjorie have
20	been divorced.	20	any brothers?
21	Q I'm not counting.	21	A That I can probably five, I
22	A No, please.	22	think.
23	Q And where did you go after that?	23	Q Can you name some of them?
24	A After that	24	A There would have been Alcine, Kenny,
25	Q Further west of Dayton you were.	25	Cyril. There was a Cletus. You want brothers and
	Page 14		Page 16
1	A North of Dayton.	1	sisters? Did you say brothers and sisters or just
2	Q Okay. And how long there?	2	brothers?
3	A Five years.	3	Q I said just brothers.
4	Q That would bring you to about 1996?	4	A That's the four that I can
5	A Yeah.	5	Q Can remember?
6	Q Then at some point where did you go	6	A Yeah.
7	after that?	7	Q Now, do you know an Edward Grillot?
8	A Well, at that time another divorce.	8	A That's Cyril's son.
9	Q All righty.	9	Q And
10	A And I'm not really a bad guy.	10	A My cousin.
11	Q Nobody said you were.	11	Q And that would make him your
12	And where did you go after north of	12	A First cousin.
13	Dayton in '96?	13	Q Thank you. All right. Did the
14	A Then at that time I moved back to	14	Grillots own any sort of dump?
15	Centerville. And from there for the next eight,	15	A A lot of commercial property. My
16	ten years I sort of I was building a house in	16	recollection was like 25 commercial properties.
17	North Carolina, so I communicated back and forth	17	Q Twenty-five commercial properties?
18	for a ten-year period.	18	A Yeah. I mean, that's what
19	Q Between Centerville and North	19	Q That's your memory?
20	Carolina?	20	A Yeah.
21	A Yeah.	21	Q Did they own a property called to
22	Q And now are you permanently in North	22	your knowledge the South Dayton Dump?
23 24	Carolina?	23 24	A Right. Q Right what?
	A Permanently, yeah, for the last three years.	25	Q Right what? A They owned South Dayton Dump, Cyril.
25		. / .)	A LUCY DWISCO MORRE LAVIOR LIBERT LVIII II

	Page 17		Page 19
1	Q Cyril?	1	nine, ten, mm-hmm.
2	A Cyril, Kenny, Alcine.	2	Q Continue on after that?
3	Q Who actually owned it, do you know?	3	A Until I was probably late
4	À Well, I'd say Cyril.	4	sixties, early seventies, very early seventies.
5	Q Okay.	5	Q So you would be going to the dump
6	A He may have. Cyril.	6	from the age of eight or so
7	Q Now, have you ever been to the South	7	A Yeah.
8	Dayton Dump?	8	Q until the early seventies?
9	A Quite yeah, a lot.	9	A Probably, mm-hmm.
10	Q A lot?	10	Q Now, by the early seventies you were
11	A Lived there.	11	25 years old or older; right?
12	Q You lived there?	12	A Right.
13	A Not there really, but, yeah, I've	13	Q So you continued go ahead again.
14	been there a lot.	14	A Well, '65 is when I built my house
15	Q Well, when you say what do you	15	or when I first bought my first house. So that's
16	mean when you say you lived there?	16	when I at that age I was working there and going
17	A Well, I worked there a lot when I	17	to the dump to get things like for my own house or
18	was very small.	18	whatever. So it would have had to go up to the
19	Q How old were you, if you can recall,	19	late sixties, early maybe seventies, but that would
20	when you first visited the South Dayton Dump?	20	be about it.
21	A Oh, probably around eight probably.	21	Q Now, in '65 when you were working at
22	Q What did you do when you went there	22	the dump, were you working there on a daily basis?
23	at that age?	23	A In the summers.
24	A Salvaged a lot. Scrounged around	24	Q In the summers?
25	for money and things really at my early age.	25	A Mm-hmm. And during school time on
	Page 18		Page 20
1	Q Sure. How did you get how did	1	Saturdays, mm-hmm.
2	you happen to go there? Did you get invited?	2	Q What about after school?
3	A I was I was sort of Cyril's	3	A After school, mm-hmm.
4	adopted nephew, I guess. So he sort of took me on,	4	Q You'd go there after school?
5	and I'd go with him. He would come pick me up.	5	A After school.
6	Q Now, by "adopted" you don't mean	6	Q On a regular basis?
7	formally adopted?	7	A I can't say a regular basis, no.
8	A No, no. He's the one he just	8	Q Occasionally after school?
9	took me on as you know, there was ten of us	9	A Oh, yeah, mm-hmm.
10	kids, and each one of us one of the uncles or	10	Q Now, after you finished school, did
11	somebody sort of latched on to one in our family,	11	you continue to visit the dump?
12	and he's the one that latched on to me.	12	A Well, that's what I say. I
13	Q So you were kind of a favorite of	13	graduated in '65. So I was like I said, I
14	Uncle Cyril?	14	bought my house, so I would be going there for the
15	A Yeah.	15	next four or five years.
16	Q And did he invite you to come to the	16	Q Doing what?
17	dump?	17	A Working for my uncle mostly at that
18	A Well, he come picked me up, yeah.	18	time, building maintenance and just working on the
19	Q And dropped you at the dump?	19	dump, whatever he wanted me to do.
20	A Yeah.	20	Q Now, after you bought your house and
21 22	Q On more than one occasion?	21	you were working at the dump, would you
	A When I was small weekly. Weekly.	22	characterize it as a regular job at the dump in
23	Saturdays would be my day there.	23	terms of was it daily you were going?
24	Q When you were eight years old?	24	A No. I wouldn't say it was a regular
25	A Oh, it started at around eight,	25	job, no.

	Page 21		Page 23
1	_	1	
1 2	Q Did you have another job at that time?	1 2	to put everything in perspective here. Let's say like '73, '4, and then it was occasionally going by
3	A At that time I worked at Liberal	3	'cause I was married by then so I couldn't devote
4	Supermarket, mm-hmm.	4	that much time.
5	MR. HARBECK: I'm sorry. I missed the	5	Q Going by, stopping in?
6	name.	6	A Oh, I would always go by, stop in
7	THE WITNESS: Please?	7	and talk to my uncles and walk the dump and see if
8	MR. HARBECK: What was the name of the	8	there's anything I could find I wanted.
9	supermarket?	9	Q This is '73, '74?
10	THE WITNESS: Liberal. That was one of	10	A Around in that, yeah.
11	the big supermarkets in Dayton at that time.	11	Q After that?
12	BY MR. SILVER (Continuing):	12	A Right, until they finally closed up.
13	Q How is that spelled?	13	Q Do you remember when they closed it
14	A L-I-B-E-R-A-L, yeah.	14	up?
15	Q And did you have a part-time job at	15	A You know what? I I can't give
16	Liberal or full-time?	16 17	you a date.
17 18	A No. I started at full-time and stayed full-time for about 15 years.	18	Q Now, did you ever work at another dump? Ever do any work at another dump?
19	Q And you started it after you bought	19	A No, other than the Liberal
20	your house?	20	Supermarket.
21	A Oh, no, no, before I bought my	21	Q I hope that wasn't a dump.
22	house. I started two weeks after I turned 16.	22	A When you say "another job" I didn't
23	Q What about graduating from high	23	
24	school? Were you in high school at the same time	24	Q No, I actually said another dump or
25	you were working at Liberal?	25	landfill.
	Page 22		Page 24
1	A Right.	1	A Oh. Well, I did, yeah.
2	Q And working part-time at Liberal at	2	Q Tell me about that.
3	that point?	3	A Well, Cyril had a friend. His name
4	A Right, until I turned till '65,	4	was Larry Brannon, Brandon.
5	and then I went full-time 'cause I was out of	5	Q B-R-A-N-N-O-N.
6	school then.	6	A He was an ex-policeman, and he was
7 8	Q And you were still visiting the dump during the period of time?	7 8	beginning to develop a landfill out off of Rip Rap
9	A Oh, yeah. Right.	9	Road, Huber Heights, I guess that area. And so he contracted me and Ed to build an incinerator, if
10	Q On Saturdays?	10	you want to call it that.
11	A Saturdays.	11	Q Ed Grillot?
12	Q After school?	12	A Yeah, me and Ed built it.
13	A After school.	13	Q Do you remember when that happened?
14	Q Summers?	14	A It had to have been in between
15	A Definitely summers.	15	'65 and '69, somewhere around in there.
16	Q What about what about spring and	16	Q And had you had any experience prior
17	winter vacation from school?	17	in building
18	A I'm sure, yeah.	18	A No.
19	Q Sure you were visiting?	19	Q incinerators?
20	A Oh, definitely, right.	20	A No.
21	Q Now, you talked about working at the	21	Q Did you have any experience with
22 23	dump in some capacity till the late sixties, early	22	incinerators at the South Dayton Dump?
23	seventies. Was there a point at which you stopped working at the dump?	23 24	A I didn't have any I mean, I didn't help them build theirs, but
24 25	A I would say seventies let me try	25	Q Go ahead.
	a i would say seventies let the try		y ou ancad.

	Page 25		Page 27
1		-1	
1 2	A I was there when he was building it, and I was there when they was using it. But my	1 2	you know, times and would pick through things. Even my kids did it.
3	uncle built that one himself, but we built this one	3	Q Oh, really?
4	later on.	4	A Oh, yeah.
5	Q Okay, okay.	5	Q Okay. Now, did you later have more
6	A Yeah.	6	well, let me ask a couple more questions.
7	Q All right. Now, during the time	7	When you were there during those early
8	that you were doing activities at the South Dayton	8	years, eight, nine, ten, was there someone
9	Dump you said started when you were eight years old	9	operating a bulldozer?
10	more or less?	10	A My Uncle Alcine.
11	A Well, I would go down there at that	11	Q Alcine operated the bulldozer?
12	age, right.	12	A Yeah, right.
13	Q Right. Okay. And when you were	13	Q Anybody else?
14	down there in the early years, eight, nine, ten,	14	A No.
15	what sort of activities did you do when you were	15	Q And you mentioned an Uncle Kenny.
16	there?	16	Was he there during that time?
17	A Well, I think mostly then we was	17	A Right. He was sort of the took
18	sort of scrounging, I guess, if you want to call	18	care of the office, if you want to say. You know,
19	it, sifting dirt for money. And Saturdays when	19	people come in, pay him. And then his primary job
20 21	private people would come in and bring their stuff, you know, we'd help unload it or things like that,	20 21	was to sort through and collect copper, lead, whatever he could recycle. So he had a little
22	mm-hmm.	22	trailer, and he worked in that trailer doing that
23	Q You might help unload trash from	23	all day long.
24	trucks	24	Q Copper and lead?
25	A Right.	25	A Copper, lead, mm-hmm.
	Page 26		Page 28
1	Q on Saturdays?	1	Q Any other metals?
2	A Right.	2	A Well, brass, aluminum.
3	Q And you would pick at the trash?	3	Q And I bet he didn't call it
4	A Yeah.	4	"recycling" back then.
5	Q Did any burning go on at the dump in	5	A Please?
6	those early years when you were there?	6	Q I bet he didn't call it "recycling"
7	A Oh, definitely. That's all they	7	back then.
8	did.	8	A He called it making money.
9	Q Did a lot of burning?	9	Q He called it making money? Is that
10	A A lot of burning, right. Burned	10	what you said?
11	everything.	11	A Yeah, it wasn't recycling.
12	Q And when would you pick at the	12	Q Now, did drums come into the site?
13	trash?	13	A Drums come in the site. A lot of
14 15	A As soon as it cooled down.	14 15	times they would be full of ink sludges, and we'd
16	Q And you said "we"? A The burnt stuff. The good stuff	16	have to cut 'em open with a hammer and chisel and push 'em over and let 'em dry out. And then there
17	we'd pick as soon as it gets dumped.	17	was someone that would come and pick up the barrels
18	Q You said "we" would. Who else?	18	and haul 'em to wherever.
19	A Well me, Ed.	19	Q Now, you said
20	Q Ed Grillot?	20	A Sold the barrels again after we cut
21	A Ed Grillot. I think we was the	21	'em open and things.
22	primary ones.	22	Q You said "we cut 'em open." Did you
23	Q Other family members come along and	23	participate in cutting open drums?
24	pick?	24	A Oh, yeah.
25	A Well, my some of my sisters came,	25	Q Even as a youngster?

A Well, not cight or nine, but probably at ten, 12, in that area, yeah, 4		Page 29		Dags 21
2 probably at ten, 12, in that area, yeah, 3 Q How did you cut open the drums? 4 With a hammer and a chisel. 5 Q Hard work? 6 A Yeah, we worked hard. 7 Q You didn't have any kind of 8 mechanical device		_		Page 31
Solution Color C			1	
A With a hammer and a chisel. Q Hard work? A Yeah, we worked hard. Q You didn't have any kind of mechanical device				
5 Q Hard work? 6 A Yeah, we worked hard. 7 Q You didn't have any kind of 8 mechanical device 9 A Oh, no. 10 Q other than that? 11 A No. Plus, it would be too 12 dangerous. 14 something with a wouldn't spark? 15 A Right. Exactly. 16 Q So who else cut open drums when you 17 were doing it after 18 A They had a - a regular worker there 19 that his name was Bud. That's the only thing I can 19 recall. He lived on the dump. 20 P He actually had a house on the dump? 21 Q Ha at strailer. 22 A Just a trailer. 23 Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? 24 drums? 25 drums? 26 A Well, own with the hammer and chisel cutting open the drums? 27 d A Well, street that his name was Bud. 28 A Well, were cight years old? 29 A Just a trailer. 20 Q ho, koay. And you said you did this work with the hammer and chisel cutting open the drums? 21 A Well, and the work with the hammer and chisel cutting open the drums? 22 A Well, and the work with the hammer and chisel cutting open the drums? 23 Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? 24 drums? 25 drums? 26 Q And you'd tip over the and get the contents out? 27 A Well, other than this Bud. 28 Q And you'd tip over the and get the contents out? 30 Q Where would you tip 'em? 41 A Oh the ground. Wherever the barrels landed. 42 Q Where would you tip 'em? 43 A Cliffication. 44 Well, and the way, is South Dayton Dump. 45 Well, I can't say who, but in my early years I know that's what it was sort of known as the South Dayton Dump. 46 Well, I can't say who, but in my early years I know that's what it was sort of known as the South Dayton Dump. 47 Well, I can't say who, but in my early years I know that's what it was sort of known as the South Dayton Dump. 48 Well, I can't say who, but in my early years I know that's what it was sort of known as the South Dayton Dump. 49 Q Horapha A Wel			l .	
A Veal, we worked hard. Q You didn't have any kind of mechanical device A Oh, no. Q other than that? A No. Plus, it would be too dangerous. Q Oh, I see. So you would use something with a wouldn't spark? A Right Exactly. Q So who else cut open drums when you were doing it after A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A Right, tip 'em over, get the contents out? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents out? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents out? A Well, other than this Bud. Q Now I'm going to show you I guess w'll mark it as Wendling Exhibit Number I was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? A Mell, tear than the example of the protect that was sout of known as. A Right Exactly. A Well, south Dayton Dump. A Well, I can't say who, but in my as "yey ars! know that's what it was sort of known as. A Hell, it an 'tas a who, but in my as "yey ars! know that's what it was sort of known as. A Fage 30 A G All right. Appreciate that. Now, the question I want to ask you - and I'll give you a marker would you be able to drawn in 'you could where the entrance to the dump. A C				
A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the property. A content of the same and earlier of the same and the same and earlier of the same and the same and earlier of the same and the same and the same and earlier of the same and earlier of this steep and the sit got a name of morea little bit better known as the South Dayton Dump.				
mechanical device A Oh, no. Q other than that? A No. Plus, it would be too dangerous. Q Oh, I see. So you would use something with a wouldn't spark? A Right. Exactly. Q So who else cut open drums when you were doing it after that his name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A And earlier I think they called this the Broadway Dump, and then it got a name of more a little bit better known as the South Dayton Dump. Q What did the Grillot family call it? A Well, South Dayton Dump. Q What did the Grillot family call it? A Well, South Dayton Dump. Q Okay. And who called it Broadway Dump. Q Ollar ight the Grillot family call it? A Well, south Dayton Dump. Q Oll if place it Broadway Dump. Q Oll if glut the Grillot family call it? A Well, south Dayton Dump. Q Oll if glut the Grillot family call it? A Well, South Dayton Dump. Q Oll if glut the Grillot family call it? A Well, South Dayton Dump. Q Oll if glut the Grillot family call it? A Well, south Dayton Dump. Q Oll if glut the Grillot family call it? A Well, south Dayton Dump. Q Oll if glut the Grillot family call it? A Well, south Dayton Dump. A Well, south Dayton Dump. A Well, south and the field the Grillot family c				
the Broadway Dump, and then it got a name of more or a little bit better known as the South Dayton Dump. Q - other than that? A No. Plus, it would be too dangerous. Q Oh, I see. So you would use something with a wouldn't spark? A Right. Exactly. A Right. Exactly. A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. Q Okay. And who called it Broadway Dump? A Well, I can't say who, but in my early years I know that's what it was sort of known as. Q All right. Appreciate that. Now, the question I want to ask you and I'll give you a marker would you be able to drawn in fryou could where the entrance to the dump was when you user eight years old? A Ed did, sure. Q What about Ed? A Ped did, sure. Q What about Ed? A Well, it nih is is the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A Well, or one thing, I know by the buildings, quit enaturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's, right. Q Doyle's, right. A Well, or one thing, I know by the buildings, quit enaturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's, right. Q Doyle's, right. A Well, or one thing, I know by the buildings, quit enaturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's, right. Q Doyle's, right. A Well, dire freith eriding that my uncle had him him to show you on past that building that read that was the euritally and then it got a name of more a little bit better known as the Sould but in the right was all will be the read that it was the eurital that the right was building that my uncle had him a little office			l .	
			1	
A No. Plus, it would be too dangerous. Q Oh, I see. So you would use something with a wouldn't spark? A Right. Exactly. Q So who else cut open drums when you were doing it after- A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? A Oh, yeah. A Oh, yeah. A A Oh, yeah. A A Oh, yeah. A Bed did, sure. Q And you'd tip over the and get the contents out? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right. Experience the contents out? A Right ip 'em over, get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. A Right in 'em over, get the contents. Q Now 'm going to show you I guess we'll mark it as Wendling Exhibit I. Well, other han this Bud. Q And you'd the verther of the cleanup of this site. It's called Parcel Groupings, Streamlined RIFS for OUI. Do you recognize this figure? Do Oth cay. And who called it Broadway Do Well, I an't say who, but in my early years I know that's what it was sort of known as. Q All right. Appreciate that. Now, the question I want to ask you and I'll give you a marker would you be able to draw in if you could where the entrance to the dump was when you of it's was when you offirst began visiting the dump when you were eight years old? A Well, it has been that's was when it was sort of known as. Page 32 this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"?" A Well, for one thing, I know by the buildings, quit enaturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's, right. Q Doyle's, right. Q Doyle's,			1	
dangerous. Q Oh, I see. So you would use swething with a wouldn't spark? A Right. Exactly. Q Os owho else cut open drums when you were doing it after A They had a a regular worker there that is name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? A Che actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Ed did, sure. Q He actually had a house on the dump? A Dy What about Ed? A Well, I can't say who, but in my early years I know that's what it was sort of known as work with the hammer and chisel cutting open the drums? A Right, Exactly. Q Ha ctually had a house on the dump? A Just a trailer. Page 30 Page 30 A Well, I can't say who, but in my early years I know that's what it was sort of known as work that it was sort of known as work that it was sort of known as work that it was the number of the propertion and the further of the propertion be drawn in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were in if you could where the entrance to the dump were you were eight years old? A Well, if this is the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. Q Now I'm going to show you will in the propertion in the propertion is a not you go mark that the bent that has alway the propertion			10	a little bit better known as the South Dayton
13		A No. Plus, it would be too		
something with a — wouldn't spark? A Right. Exactly. O So who else cut open drums when you were doing it after — A They had a — a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. O He actually had a house on the dump? O Oh, okay. And you said you did this was with the hammer and chisel cutting open the drums? A Oh, yeah. O What about Ed? A Well, if this is the northern line Page 30 Page 32 A Oh, yeah. O Anyone else that you can remember? A Well, the hammer and chisel cutting open the contents out? A Right, tip 'em over, get the contents out? A Right, tip 'em over, get the contents. O Now I'm going to show you — I guess we'll mark it as Wendling Exhibit 1. C Now I'm going to show you — I guess we'll mark it as Wendling Exhibit 1. C Now I'm going to show you — Gan you put — Can you write in the first Entrance that makes we'll mark it as Wendling Exhibit 1. C Now I'm going to show you — I guess we'll mark it as Wendling Exhibit 1. C Now I'm going to show you adidgram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OUI. Do you recognize this building there's another building back here, and building there's another building that building there's another building back here, and building there's another building back here, and building there's another building back here, and		dangerous.		
15	13	Q Oh, I see. So you would use	13	A Well, South Dayton Dump.
16	14	something with a wouldn't spark?	14	Q Okay. And who called it Broadway
were doing it after A They had a a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q Andy ou'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit I. Where Europon, Wendling G Page 30 Q Pim placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Erramlined RI/FS for OU1. Do you recognize this 20 All right. Appreciate that. Now, the question I want to ask you and I'll give you a marker would you be able to draw in if you could where the entrance to the dump was when you first began visiting the dump when you were eight years old? A Well, if this is the northern line Page 32 this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance" First Entrance. A Well, or one thing, I know by the buildings. A This would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north building, in line there would be the furthest north	15	A Right. Exactly.	15	Dump?
were doing it after 18	16	Q So who else cut open drums when you	16	A Well, I can't say who, but in my
A They had a - a regular worker there that his name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? Q O, ho kay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A G A Now, eals that office that his name was Bud. That's the only thing I can draw in if you could where the entrance to the dump when you were eight years old? A Well, if this is the northern line Page 32 A Ed did, sure. A Well, other than this Bud. Q Andyou'd tip over the and get the contents out? A Well, other than this Bud. Q And you'd tip over the and get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit I. WHEREUPON, Wendling Deposition Exhibit Number I was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this building there's another building back here, and	17		17	
that his name was Bud. That's the only thing I can recall. He lived on the dump. Q He actually had a house on the dump? A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. A Oh, yeah. Q What about Ed? A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? A Just a trailer. Q Ha cetually had a house on the dump? 21 A Just a trailer. 22 A Just a trailer. 23 A Well jif this is the northern line of the property. A Well, if this is the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. In line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Mell, office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Mm-hmm. Then as you go on past that building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's, right. Q Doyle's, right. A Mm-hmm. Then as you go on past that building there's another building back here, and	18		18	as.
recall. He lived on the dump. Q He actually had a house on the dump? Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. WHEREUPON, Wendling O C Im placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this 24 Page 30 Now, the question I want to ask you and r'll give you a marker would syou be able to draw in if you could where the entrance to the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was when you first began visiting the dump when you was was when you first began visiting the dump when you was when you first began visite fall. A Well, if this is the northern line of the property. It would be the northern line of the property. It would be the northern line of the property. It would be the nor	19		19	Q All right. Appreciate that.
21 Q He actually had a house on the dump? 22 A Just a trailer. 23 Q Oh, okay. And you said you did this 24 work with the hammer and chisel cutting open the 25 draws? 26 Page 30 1 A Oh, yeah. 2 Q What about Ed? 3 A Ed did, sure. 4 Q Anyone else that you can remember? 5 A Well, other than this Bud. 6 Q And you'd tip over the and get 7 the contents out? 8 A Right, tip 'em over, get the 9 contents. 1 Q Where would you tip 'em? 1 A On the ground. Wherever the barrels 1 landed. 2 Q Where would you tip 'em? 3 A On the ground. Wherever the barrels 1 landed. 2 Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. 3 Q Now I'm going to show you I guess of identification.) 4 Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? 4 G Doyle's? 5 Gtreamlined RI/FS for OU1. Do you recognize this gigure? 4 A Doyle's, right. 5 G Doyle's? 6 Q Doyle's, and I'll give you a marker would you be able to draw in if you could where the entrance to the dump when you was when you first began visiting the dump when you were eight years old? 6 A Well, if this is the northern line of the property. 8 A Ed did, sure. 9 C Can you put can you write in "First Entrance"? 9 A Mell, for one pritty much right through here. 9 C Can you put can you write in "First Entrance"? 9 A Mell, for one thing through here. 10 A (So complies.) 9 A Well, for one the property. 11 was was when you was were eight years old? 12 It would be the northern line of the property. 12 It would be pretty much right through here. 13 (Indicating) 9 C Can you put can you write in "First Entrance"? 14 A (So complies.) 15 A (So complies.) 16 A (So complies.) 17 A Well, for one thing, I know by the buildings. 18 A Well, for one thing, I know by the buildings. 19 Q Mm-hmm. 10 A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my was always going past that office. And then to the right was Doyle's; junkyard or auto salvage o	20		20	
A Just a trailer. Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A Ed did, sure. A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? A Just a trailer. 22 draw in if you could where the entrance to the dump was when you first began visiting the dump when you were eight years old? A Well, if this is the northern line Page 32 this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) A Well, ofer one thing, I know by the buildings. Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building, and this was the building, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q Doyle's? A Doyle's, right. Q Doy-Y-L-E apostrophe S? A Mell, ofer one thing, I know by the building, and this was the pour salvage or whatever. Q Doyle's? A Doyle's, right. Q Doy-Y-L-E apostrophe S? A Mell, ofer one thing, I know by the building, and this was the building back here, and building there's another building back here, and	21		21	
Q Oh, okay. And you said you did this work with the hammer and chisel cutting open the drums? Page 30 A Oh, yeah. Q What about Ed? A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this work was well ding the furn was marked to ruting open the drums? Page 32 Laws when you first began visiting the dump when you were eight years old? A Well, if this is the northern line Page 32 Laws when you first began visiting the dump when you were eight years old? A Well, if this is the northern line of the property. It would be the norther	22		22	
work with the hammer and chisel cutting open the drums? Page 30 Page 30 A Oh, yeah. Q What about Ed? A Well, if this is the northern line Page 32 this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in First Entrance"? A Right, tip 'em over, get the contents out? A Right, tip 'em over, get the sountents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? Page 32 this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings, quite naturally, and this was the building and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q Doyle's? A Doyle's, night. A Doyle's, night. A Doyle's, night. B Deposition Exhibit Number I whatever. A Doyle's, right. A Doyle's, night. B Deposition Exhibit has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this building there's another building back here, and			23	•
Page 30 Page 32 Page 32 Page 32		work with the hammer and chisel cutting open the	l .	
Page 30 A Oh, yeah. Q What about Ed? A Ed did, sure. A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling C WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? - this would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. 10 A Well, for one thing, I know by the buildings. 12 Q Mm-hmm. A This would be the northern line of the property. It would be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. 10 A Well, for one thing, I know by the buildings. I line there would be the r the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's; junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
1 A Oh, yeah. 2 Q What about Ed? 3 A Ed did, sure. 4 Q Anyone else that you can remember? 5 A Well, other than this Bud. 6 Q And you'd tip over the and get 7 the contents out? 8 A Right, tip 'em over, get the 9 contents. 10 Q Where would you tip 'em? 11 A On the ground. Wherever the barrels 12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? 1 this would be the northern line of the property. 1 twould be pretty much right through here. (Indicating) Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the northern line of the property. It would be pretty much right through here. (Indicating) A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the northern line of the property. I twould be the northern line of the probet would in the property. A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q D Mm-hmm. A This would be the northern line of the property. A Well was a salvays going past that office. A Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and		Page 30		
Q What about Ed? A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. C WHEREUPON, Wendling C Where Was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? It would be pretty much right through here. (Indicating) Q Can you put can you write in First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and	1		1	_
A Ed did, sure. Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling begoing to grow marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure? A Ed did, sure. Q Can you put can you write in "First Entrance"? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Mon-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
Q Anyone else that you can remember? A Well, other than this Bud. Q And you'd tip over the and get The contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess We'll mark it as Wendling Exhibit 1. WHEREUPON, Wendling C WHEREUPON, Wendling C WHEREUPON, Wendling C Was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a cof this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this YFIRST Entrance"? A (So complies.) A Well, for one thing, I know by the building where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
5 A Well, other than this Bud. 6 Q And you'd tip over the and get 7 the contents out? 8 A Right, tip 'em over, get the 9 contents. 9 Q Where would you tip 'em? 11 A On the ground. Wherever the barrels 12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 24 figure? 8 'First Entrance'? A (So complies.) A Well, ofter than this Bud. A (So complies.) A Well where you marked in the First Entrance that makes you think that was the entryway. 10 A Well, for one thing, I know by the buildings. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			1	
6 Q And you'd tip over the and get 7 the contents out? 8 A Right, tip 'em over, get the 9 contents. 9 Q Where would you tip 'em? 11 A On the ground. Wherever the barrels 12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? A (So complies.) Q And, Mike, tell us what it is about where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. 10 Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
the contents out? A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess (WHEREUPON, Wendling be poposition Exhibit Number 1 was marked for purposes of light identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a light graph of this site. It's called Parcel Groupings, streamlined RI/FS for OU1. Do you recognize this light was marked building by where you marked in the First Entrance that makes where you marked in the First Entrance that makes you think that was the entryway. A Well, for one thing, I know by the buildings. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building back here, and				
A Right, tip 'em over, get the contents. Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? A Well, for one thing, I know by the buildings. A Well, for one thing, I know by the buildings. A Well, for one thing, I know by the buildings. A Well, for one thing, I know by the buildings. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and		• • •		
9 contents. 10 Q Where would you tip 'em? 11 A On the ground. Wherever the barrels 12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? 9 you think that was the entryway. 10 A Well, for one thing, I know by the 11 buildings. 12 Q Mm-hmm. 13 A This would be the the one that's 14 in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. 20 Q Doyle's? 21 A Doyle's, right. 22 Q D-O-Y-L-E apostrophe S? 23 Streamlined RI/FS for OU1. Do you recognize this 24 building there's another building back here, and			1	
Q Where would you tip 'em? A On the ground. Wherever the barrels landed. Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? 10 A Well, for one thing, I know by the buildings. Q Mm-hmm. A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
11 A On the ground. Wherever the barrels 12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? 11 buildings. 12 Q Mm-hmm. 13 A This would be the the one that's 14 in line there would be the furthest north building, 15 quite naturally, and this was the building that my 16 uncle had him a little office in, and I just know I 17 was always going past that office. And then to the 18 right was Doyle's junkyard or auto salvage or 19 whatever. 20 Doyle's? 21 A Doyle's, right. 22 Q D-O-Y-L-E apostrophe S? 23 A Mm-hmm. Then as you go on past that 24 building there's another building back here, and				
12 landed. 13 Q Now I'm going to show you I guess 14 we'll mark it as Wendling Exhibit 1. 15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? 12 Q Mm-hmm. 13 A This would be the the one that's 14 in line there would be the furthest north building, 15 quite naturally, and this was the building that my 16 uncle had him a little office in, and I just know I 17 was always going past that office. And then to the 18 right was Doyle's junkyard or auto salvage or 19 whatever. 20 Doyle's? 21 A Doyle's, right. 22 Q D-O-Y-L-E apostrophe S? 23 A Mm-hmm. Then as you go on past that 24 building there's another building back here, and			1	
Q Now I'm going to show you I guess we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a Q I'm placing in front of you a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this A This would be the the one that's in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			ž.	
we'll mark it as Wendling Exhibit 1. (WHEREUPON, Wendling Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a Q I'm placing in front of you a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? we'll mark it as Wendling Exhibit 1. I in line there would be the furthest north building, quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			I .	
15 (WHEREUPON, Wendling 16 Deposition Exhibit Number 1 17 was marked for purposes of 18 identification.) 19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? (WHEREUPON, Wendling 15 quite naturally, and this was the building that my uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. 20 Q Doyle's? 21 A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			I .	
Deposition Exhibit Number 1 was marked for purposes of identification.) Q I'm placing in front of you a diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? It is uncle had him a little office in, and I just know I was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Q Doyle's? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			1	
was marked for purposes of identification.) Q I'm placing in front of you a Odiagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? was always going past that office. And then to the right was Doyle's junkyard or auto salvage or whatever. Odo Doyle's? A Doyle's, right. Odo D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			l .	
18identification.)18right was Doyle's junkyard or auto salvage or19Q I'm placing in front of you a19whatever.20diagram which has a figure on it. I guess it's a20Q Doyle's?21figure from a report which is part of the cleanup21A Doyle's, right.22of this site. It's called Parcel Groupings,22Q D-O-Y-L-E apostrophe S?23Streamlined RI/FS for OU1. Do you recognize this23A Mm-hmm. Then as you go on past that24figure?building there's another building back here, and			1	
19 Q I'm placing in front of you a 20 diagram which has a figure on it. I guess it's a 21 figure from a report which is part of the cleanup 22 of this site. It's called Parcel Groupings, 23 Streamlined RI/FS for OU1. Do you recognize this 24 figure? 19 whatever. 20 Q Doyle's? 21 A Doyle's, right. 22 Q D-O-Y-L-E apostrophe S? 23 A Mm-hmm. Then as you go on past that 24 building there's another building back here, and			1	
diagram which has a figure on it. I guess it's a figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? O Doyle's? A Doyle's, right. O D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and		/	1	
figure from a report which is part of the cleanup of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? A Doyle's, right. Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and				
of this site. It's called Parcel Groupings, Streamlined RI/FS for OU1. Do you recognize this figure? Q D-O-Y-L-E apostrophe S? A Mm-hmm. Then as you go on past that building there's another building back here, and			1	` '
Streamlined RI/FS for OU1. Do you recognize this figure? A Mm-hmm. Then as you go on past that building there's another building back here, and			l .	
24 figure? 24 building there's another building back here, and			l .	
			l .	
A The location, ves. mm-hmm. 25 then to the left a little bit would be the first			l .	
men to me test a fine of month of the first	25	A The location, yes, mm-hmm.	25	then to the left a little bit would be the first

	Page 33		Page 35
-		-	_
1	trailer.	1	a second entrance?
2	Q Okay. Now, you mentioned a	2	A Yeah. Later on this is probably,
3	started with an office building. You said it was	3	you know, not a whole lot of years before they
4	your uncle's office building?	4	closed up, but it would be down from what I'm
5	A Well, he used just a little room in	5	counting here probably one, two the third
6	that building.	6	building down. That was a fabrication facility at
7	Q Can you label that building as your	7	that time.
8	uncle's office?	8	Q Buckeye Fabricators?
9	A Yeah, mm-hmm.	9	A Yeah, fabrication of some sort or
10 11	Q And maybe circle it so everyone	10	another.
12	knows what it is.	11 12	Q Does the name Buckeye
13	A (So complies.) I remember that	13	A Could be Buckeye Fabrication, but
14	building. I was young. And for some reason I	14	right there we would go along that side of the
15	don't know what the reason was but I had to dig a hole all around the foundation. I had to dig it	15	building, and then the trailer was over in here somewhere. They moved that trailer down.
16	out. For why I cannot recall, but I know it was	16	Q Okay. Why don't you mark where the
17	like two or three foot deep. I don't know the	17	second entrance is. Just write in "second
18	reason, but	18	entrance."
19	Q Somebody told you to do it?	19	A (So complies.) It would be right
20	A Well, Cyril told me to do it. I was	20	here.
21	young then.	21	Q Let the record reflect that the
22	Q About what age would you say?	22	witness is doing so.
23	A Ten, 12.	23	And you mentioned the trailer was moved
24	Q Okay. And you mentioned Doyle's	24	down to near the second entrance?
25	auto yard. Why don't you mark where that was maybe	25	A Right, right.
	Page 34		Page 36
1	with a circle.	1	Q Why don't you mark where the trailer
2	A (So complies.) Well, that would be	2	was.
3	coming in here. He would be more over in here in	3	A I've got it marked right here.
4	this area.	4	(Indicating)
5	Q Maybe write in "Doyle" so everyone	5	Q And then just label it "trailer."
6	knows what you're talking about.	6	A (So complies.)
7	A (So complies.)	7	Q The witness is doing so.
8	Q Let the record reflect that the	8	And did you say about what time period
9	witness is labeling the Exhibit 1.	9	the second entrance was opened up?
10	Now, you labeled that as the first	10	A Late sixties.
11	entrance to the dump	11	Q And do you know of any other
12	A Mm-hmm.	12	entrances to the dump
13	Q from when you started going	13	A No, there wasn't.
14	A Right.	14	Q that you're aware of?
15 16	Q around at age eight?	15 16	A There was none.
	A Mm-hmm.	17	Q None that you were aware of; right?
17 18	Q How long, if you can recall, was	18	A None that I was
19	that entrance used at the dump? If you can recall. It's not a test.	19	Q I just wanted to get A Okay. None that I was aware of.
20	A My whole my whole life even	20	Q Yeah. 'Cause you mentioned the dump
21	before that time I just know that's the main	21	started even over by the bridge.
22	entrance. 'Cause I know they started up at the	22	A Well, before my time.
23	river, but at my age that's where it was at that	23	Q That's what I was wondering.
24	time.	24	Now, did the trucks bringing waste use
25	Q Did there come a time when there was	25	the first entrance to the dump?
	2 2 2 more come a time when there was		environment to the sound.

1 A They used the first entrance, right. 2 Q And then the second entrance later on, right. 3 on? 4 A The second entrance later on, right. 5 Q And is it correct to say that that was the way the trucks entered the dump while you were working there? 6 A Right. 9 Q Either the first entrance and then the second entrance? trucks entering the dump? 10 A Right. 11 A Right. 12 Q Did you personally observe trucks entering the dump? 13 Q Did you personally observe trucks entering the dump? 14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were there? 18 there? 19 A Saturdays. Not too much commercial trucks coming in during the weeks. 20 Q And you would observe commercial trucks coming in during the weeks. 21 Q And you would observe commercial trucks coming in during the weeks. 22 Q A Definitely. Right, Yes, yes. 23 A Definitely. Right, Yes, yes. 24 Q when you were there? Was that a constant occurrence at the dump? 25 MR. HARBECK: Object to the form. 26 MR. HARBECK: Object to the form. 27 A The second entrance at the dump? 28 A The second entrance at the dump while you were there? Was that a constant occurrence at the dump? 29 A Definitely. Right, Yes, yes. 20 A Definitely. Right, Yes, yes. 21 A Definitely. Right, Yes, yes. 22 A Definitely. Right, Yes, yes. 23 BY MR. SILVER (Continuing): 24 Q Do you know whether that was a customer of the South Dayton Dump and A Yes. 25 Constant occurrence at the dump? 26 A The was a daily occurrence. 27 A Display trucks a customer of the South Dayton Dump and A Yes. 28 A Definitely Right, Yes, yes. 29 A Definitely Right, Yes, yes. 20 A Definitely Right, Yes, yes. 21 A Definitely Right, Yes, yes. 22 A Definitely Right, Yes, yes. 23 A Definitely Right, Yes, yes. 24 A Definitely Right, Yes, yes. 25 Constant occurrence at the dump? 26 A They were sort of a brown, tan. 27 Sort of a tannish color, light. 28 A They were sort of a brown, tan. 29 C Dark brown or tannish? 20 C Dark brown or tannish? 20 C Dark brown or tannish? 21 C Dark brown o	nd
2	
on? A The second entrance later on, right. O And is it correct to say that that was the way the trucks entered the dump while you were working there? A Right. O Did you personally observe trucks centering the dump? A O, Bither the first entrance and then the second entrance? A Right. O Did you personally observe trucks C O How do you know that? A I'd see 'em come and go. O And in what form did they come and go? A Trucks. Dump trucks. Dump trucks. O Did you personally observe trucks centering the dump? A Oh, sure. Yes. O How often? A Dump trucks. O Did you personally observe trucks O O Hor kinds of trucks? A Mostly dump trucks. O And did you personally observe Dayton Power and Light dump trucks entering the A All day long if I was there. O Even on Saturdays when you were there? A Saturdays. Not too much commercial stuff on Saturdays, but during the weeks. O And you would observe commercial trucks coming in during the weeks. O And you would observe commercial trucks coming in during the week. O Fage MR. HARBECK: Object to the form. MR. HARBECK: Object to the form. MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): O Do you know whether that was a constant occurrence at the dump? A Trucks. Dump trucks. O And did you personally observe Dayton Power and Light dump trucks entering the South Dayton Dump? A Yes. O How do you know that. Yes. O And in what form did they come and go. O A Trucks. Dump trucks. O Onther kinds of trucks? A Mostly dump trucks. O And did you personally observe Dayton Power and Light dump trucks entering the weeks. O How do you know that. O Dump trucks. O And did you personally observe Dayton Power and Light trucks come in? A I'I was there, I would see 'em all the time. O I'I was there, I would see 'em all the time. O What color were the Dayton Power and Light trucks come in? A Maybe once or twice. Page A Trucks. Dump trucks. O And did you personally observe the dump? A Yes. O How dorn. O How frequently? A I'I was there, I would see 'em all the time. O What	
A The second entrance later on, right. Q And is it correct to say that that was the way the trucks entered the dump while you were working there? A Right. Q Either the first entrance and then the second entrance? A Right. Q Did you personally observe trucks 11 A Right. Q Did you personally observe trucks 12 A Dump trucks. 13 entering the dump? A All day long if I was there. Q Even on Saturdays when you were 16 A All day long if I was there. Q Even on Saturdays, but during the weeks. Q And you would observe commercial stuff on Saturdays, but during the weeks. Q And you would observe commercial trucks coming in during the weeks. Q when you were there? Was that a constant occurrence at the dump? MR. HARBECK: Object to the form. MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): A Trucks. Dump trucks. A Dump trucks. D Dump trucks. D Dump trucks. A Mostly dump trucks. A Mostly dump trucks. A Mostly dump trucks entering the South Dayton Dump? South Dayton Dump? A Sturdays. Not too much commercial trucks coming in during the weeks. Q How frequently? A I'd sec 'em come and go. A Trucks. Dump trucks. D Dump trucks. D Dump trucks. A Dump trucks. A Dump trucks. A Dump trucks. A Mostly dump trucks. D ayton Power and Light dump trucks entering the South Dayton Dump? A Yes. Q How frequently? A I'd sec 'em come and go. A Dump trucks. D Duptor kinds of trucks? A Dump trucks. D Duptor kinds of trucks? A Dump trucks. D Duptor kinds of trucks? A Mostly dump trucks. D A Mostly dump trucks. D A Mostly dump trucks. D A How frequently? South Dayton Dump? A I'd sec 'em come and go. A Hount ind they come and Light trucks come in? A Mis I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Lig	
South Dayton Dump? A Saturdays. Not too much commercial there? A Saturdays. Not too much commercial trucks coming in during the weeks. Q And you would observe commercial trucks coming in during the weeks. Q And you would observe commercial trucks coming in during the weeks. A Right. Sage and Dayson Row that form did they come and go. A Right. 11 Q Dump trucks. A Dump trucks. A Dump trucks. Q Other kinds of trucks? A Mostly dump trucks. Q And did you personally observe trucks of trucks? A Mostly dump trucks. Q And did you personally observe trucks of trucks? A Mostly dump trucks. Q And did you personally observe trucks of trucks? A Mostly dump trucks. Q How fien? A Saturdays when you were 17 South Dayton Dump? It was there, I would see 'em all the time. Q How frequently? A If I was there, on a daily basis. If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 MR. HARBECK: Objection. BY MR. SILVER (Continuing): A Trucks. Dump trucks. A Dump trucks. Q Other kinds of trucks? A Mostly dump trucks. Q Other kinds of trucks? A Mostly dump trucks. Q Dayton Power and Light dump trucks entering the South Dayton Dump? A If I was there, I would see 'em all the time. 20 If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 A Trucks. Dump trucks. Q How frequently? A If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light, Light. A Light, Light. Q Light brown?	
6 was the way the trucks entered the dump while you were working there? 7	
7 were working there? 8 A Right. 9 Q Either the first entrance and then 10 the second entrance? 11 A Right. 12 Q Did you personally observe trucks 13 entering the dump? 14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 18 there? 19 A Saturdays. Not too much commercial 19 trucks coming in during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 2 MR. HARBECK: Object to the form. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 5 A That was a daily occurrence. 7 A I'd see 'em come and go. 8 Q And in what form did they come and go. 9 go? 10 A Trucks. Dump trucks. 11 Q Dump trucks. 12 A Dump trucks. 12 Dayton Power and Light dump trucks entering the Dayton Dump? 14 A Yes. 15 Q How frequently? 16 A I'Il was there, on a daily basis. 17 South Dayton Dump? 18 A Yes. 19 Q How frequently? 19 A I'Il was there, on a daily basis. 20 If I was there, on a daily basis. 21 If I was there, I would see 'em all the time. 22 Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 24 Power and Light trucks come in? 25 A Maybe once or twice. Page 38 1 Q What color were the Dayton Power and Light, DP&L dump trucks? 2 A They were sort of a brown, tan. 3 Sort of a tannish color, light. 4 Q Do you know whether that was a daily occurrence. 4 C Dark brown or tannish? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Light brown?	
8	
9 Q Either the first entrance and then 10 the second entrance? 11 A Right. 12 Q Did you personally observe trucks 13 entering the dump? 14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 26 A That was a daily occurrence. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 4 A Right. 10 A Trucks. Dump trucks. 11 Q Dump trucks? 12 A Dump trucks. 12 A Dump trucks. 12 A Dump trucks. 13 Q Other kinds of trucks? 14 A Mostly dump trucks. 15 Q And did you personally observe 16 Dayton Power and Light dump trucks entering the South Dayton Dump? 18 A Yes. 19 Q How frequently? 20 A If I was there, on a daily basis. 21 If I was there, would see 'em all the time. 22 Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 24 Q when you were there? Was that a 25 Constant occurrence at the dump? 26 A That was a daily occurrence. 27 Q Dark brown or tannish? 28 A They were sort of a brown, tan. 29 Sort of a tannish color, light. 20 Dark brown or tannish? 20 Dark brown?	
10the second entrance?10A Trucks. Dump trucks.11A Right.11Q Dump trucks?12Q Did you personally observe trucks12A Dump trucks.13entering the dump?13Q Other kinds of trucks?14A Oh, sure. Yes.14A Mostly dump trucks.15Q How often?15Q And did you personally observe16A All day long if I was there.16Dayton Power and Light dump trucks entering the dump.18there?18A Yes.19A Saturdays. Not too much commercial there?19Q How frequently?20stuff on Saturdays, but during the weeks.20A If I was there, on a daily basis.21Q And you would observe commercial trucks coming in during the week22If I was there, I would see 'em all the time.22trucks coming in during the week22Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in?24Q when you were there? Was that a constant occurrence at the dump?25A Maybe once or twice.25MR. HARBECK: Object to the form.1Q What color were the Dayton Power and Light, DP&L dump trucks?3BY MR. SILVER (Continuing):3A They were sort of a brown, tan.4Q Do you know whether that was a constant occurrence at the dump?5Q Dark brown or tannish?6A That was a daily occurrence.6A Light, Light.7Q Now, I'm going to ask you about7Q Light brown? <td></td>	
10the second entrance?10A Trucks. Dump trucks.11A Right.11Q Dump trucks?12Q Did you personally observe trucks12A Dump trucks.13entering the dump?13Q Other kinds of trucks?14A Oh, sure. Yes.14A Mostly dump trucks.15Q How often?15Q And did you personally observe16A All day long if I was there.16Dayton Power and Light dump trucks entering the dump?18there?18A Yes.19A Saturdays. Not too much commercial there?19Q How frequently?20stuff on Saturdays, but during the weeks.20A If I was there, on a daily basis.21Q And you would observe commercial trucks coming in during the week22Q How frequently?23A Definitely. Right. Yes, yes.23If I was there, I would see 'em all the time.24Q when you were there? Was that a constant occurrence at the dump?24Power and Light trucks come in?25A Maybe once or twice.Page 38Page1Q What color were the Dayton Power and Light, DP&L dump trucks?3BY MR. SILVER (Continuing):3A They were sort of a brown, tan.4Q Do you know whether that was a constant occurrence at the dump?5Q Dark brown or tannish?6A That was a daily occurrence.6A Light, Light.7Q Light brown?	
12 Q Did you personally observe trucks 13 entering the dump? 14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 26 MR. HARBECK: Object to the form. 27 MR. MOSS: Objection. 28 MR. SILVER (Continuing): 38 MR SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 4 A Dump trucks. 12 A Dump trucks. 13 Q Other kinds of trucks? 14 A Mostly dump trucks. 15 Dayton Power and Light dump trucks entering the South Dayton Dump? 18 A Yes. 19 Q How frequently? 20 A If I was there, on a daily basis. 21 If I was there, I would see 'em all the time. 22 Q I f you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 24 Page 38 25 Page 26 What color were the Dayton Power and Light trucks come in? 27 A Maybe once or twice. 28 Page 38 29 What color were the Dayton Power and Light prucks? 20 A Maybe once or twice. 20 Page 38 21 Q What color were the Dayton Power and Light prucks? 22 A Maybe once or twice. 25 Constant occurrence at the dump? 26 A That was a daily occurrence. 27 Q Dark brown or tannish? 28 A That was a daily occurrence. 39 A They were sort of a brown, tan. 40 Q Dark brown or tannish? 41 A Mostly dump trucks. 42 A Mostly dump trucks. 43 A Yes. 44 If I was there, on a daily occurrence. 44 A Definitely. 45 Constant occurrence at the dump? 46 A That was a daily occurrence. 47 Q Dark brown or tannish? 48 A Yes. 49 A If I was there, on a daily occurrence. 40 Dark brown or tannish? 40 Dark brown? 41 Q Light brown?	
13 entering the dump? 14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were there? 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 26 MR. HARBECK: Object to the form. 27 MR. MOSS: Objection. 28 YMR. SILVER (Continuing): 38 YMR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 4 A That was a daily occurrence. 5 Q Other kinds of trucks? 4 A Mostly dump trucks. 4 A Mostly dump trucks. 6 A That was there, I and id you personally observe Dayton Dower and Light was there, on a daily basis. 16 I was there, I would see 'em all the time. 22 Uf you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 25 A Maybe once or twice. Page 38 Page 1 Q What color were the Dayton Power and Light, DP&L dump trucks? 3 A They were sort of a brown, tan. 4 Q Do you know whether that was a 5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Light brown?	
14 A Oh, sure. Yes. 15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 2 MR. HARBECK: Object to the form. 2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a constant occurrence at the dump? 4 A Mostly dump trucks. Q And did you personally observe Dayton Power and Light dump trucks entering the South Dayton Dump? 18 A Yes. 19 Q How frequently? A If I was there, on a daily basis. If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayton Power and Light trucks come in? A Maybe once or twice. Page 38 Page 1 Q What color were the Dayton Power and Light trucks? A Maybe once or twice. Page 38 Page 1 Q What color were the Dayton Power and Light trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Constant occurrence at the dump? 5 Q Dark brown or tannish? A Light, Light. Q Now, I'm going to ask you about 7 Q Light brown?	
15 Q How often? 16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 18 A Yes. 29 A If I was there, on a daily basis. 21 If I was there, I would see 'em all the time. 22 Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 25 A Maybe once or twice. Page 38 1 MR. HARBECK: Object to the form. 2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 1 Q Light brown?	
16 A All day long if I was there. 17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 18 A Yes. 19 Q How frequently? A If I was there, on a daily basis. 11 If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 Page 1 MR. HARBECK: Object to the form. 2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 1 Q Light brown?	
17 Q Even on Saturdays when you were 18 there? 19 A Saturdays. Not too much commercial 20 stuff on Saturdays, but during the weeks. 21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? Page 38 MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a 5 constant occurrence at the dump? A They were sort of a brown, tan. Q Dark brown or tannish? A Light. Light. Q Light brown?	
there? A Saturdays. Not too much commercial stuff on Saturdays, but during the weeks. Q And you would observe commercial trucks coming in during the week A Definitely. Right. Yes, yes. A Definitely. Right. He time. A Maybe once or twice. Page A Maybe once or twice. Page A They were sort of a brown, tan. A They were sort of a brown, tan. A They were sort of a tannish color, light. A Light. Light. A Light. Light. A Light Definitely. A	
A Saturdays. Not too much commercial stuff on Saturdays, but during the weeks. Q And you would observe commercial trucks coming in during the week A Definitely. Right. Yes, yes. Q when you were there? Was that a constant occurrence at the dump? MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q How frequently? A If I was there, on a daily basis. If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 Page MR. HARBECK: Object to the form. Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Constant occurrence at the dump? A That was a daily occurrence. A That was a daily occurrence. Q Now, I'm going to ask you about To Definitely. A If I was there, on a daily basis. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A If I was there, I would see 'em all the time. A May, how Page 38 Page A Maybe once or twice. Page 38 A Maybe once or twice. Page 38 A Maybe once or twice. Page 4 A Maybe once or twice. A Maybe once or twice. Page 4 A Maybe once or twice.	
stuff on Saturdays, but during the weeks. Q And you would observe commercial trucks coming in during the week A Definitely. Right. Yes, yes. Q when you were there? Was that a constant occurrence at the dump? MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a constant occurrence at the dump? A That was a daily occurrence. A If I was there, on a daily basis. If I was there, I would see 'em all the time. Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 Page 1 Q What color were the Dayton Power and Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light. Light. Q Light brown?	
21 Q And you would observe commercial 22 trucks coming in during the week 23 A Definitely. Right. Yes, yes. 24 Q when you were there? Was that a 25 constant occurrence at the dump? 26 Page 38 1 MR. HARBECK: Object to the form. 2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 4 Sort of a tannish color, light. 5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 2 If I was there, I would see 'em all the time. 2 Q If you were there during a day, how many times on the average would you see Dayto Power and Light trucks come in? 2 A Maybe once or twice. 7 Q What color were the Dayton Power and Light, DP&L dump trucks? 2 Light, DP&L dump trucks? 3 A They were sort of a brown, tan. 4 Sort of a tannish color, light. 5 Q Dark brown or tannish? 6 A Light. Light. 7 Q Light brown?	
trucks coming in during the week A Definitely. Right. Yes, yes. Q when you were there? Was that a constant occurrence at the dump? MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a constant occurrence at the dump? A That was a daily occurrence. A Definitely. Right. Yes, yes. 23 many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Page 38 Page Q What color were the Dayton Power and Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light. Light. Q Light brown?	
A Definitely. Right. Yes, yes. Q when you were there? Was that a constant occurrence at the dump? Degree 38 Page 38 Page 38 Page 38 Rage MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a constant occurrence at the dump? A They were sort of a brown, tan. Sort of a tannish color, light. Constant occurrence at the dump? A That was a daily occurrence. A That was a daily occurrence. Q Now, I'm going to ask you about Dayson the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Q What color were the Dayton Power and Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light. Light. Q Light brown?	
A Definitely. Right. Yes, yes. Q when you were there? Was that a constant occurrence at the dump? Degree 38 MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a constant occurrence at the dump? A That was a daily occurrence. A Definitely. Right. Yes, yes. 23 many times on the average would you see Dayto Power and Light trucks come in? A Maybe once or twice. Q What color were the Dayton Power and Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light. Light. Q Light brown?	
Q when you were there? Was that a 24 Power and Light trucks come in? A Maybe once or twice. Page 38 Page 38 Page 38 Rage 1 MR. HARBECK: Object to the form. 2 Light, DP&L dump trucks? 3 BY MR. SILVER (Continuing): 3 A They were sort of a brown, tan. 4 Q Do you know whether that was a 5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 7 Q Light brown?	
25 constant occurrence at the dump? Page 38 Page 38 Rage 38 Page 38 MR. HARBECK: Object to the form. MR. MOSS: Objection. BY MR. SILVER (Continuing): Q Do you know whether that was a constant occurrence at the dump? A That was a daily occurrence. Q Now, I'm going to ask you about Page 38 Page 38 Light, DP&L dump trucks? A They were sort of a brown, tan. Sort of a tannish color, light. Q Dark brown or tannish? A Light. Light. Q Light brown?	
1 MR. HARBECK: Object to the form. 2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 1 Q What color were the Dayton Power an 2 Light, DP&L dump trucks? 3 A They were sort of a brown, tan. 4 Sort of a tannish color, light. 5 Q Dark brown or tannish? 6 A Light. Light. 7 Q Light brown?	
2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 2 Light, DP&L dump trucks? 3 A They were sort of a brown, tan. 4 Sort of a tannish color, light. 5 Q Dark brown or tannish? 6 A Light. Light. 7 Q Light brown?	40
2 MR. MOSS: Objection. 3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 2 Light, DP&L dump trucks? 3 A They were sort of a brown, tan. 4 Sort of a tannish color, light. 5 Q Dark brown or tannish? 6 A Light. Light. 7 Q Light brown?	
3 BY MR. SILVER (Continuing): 4 Q Do you know whether that was a 5 constant occurrence at the dump? 6 A That was a daily occurrence. 7 Q Now, I'm going to ask you about 9 A They were sort of a brown, tan. 4 Sort of a tannish color, light. 5 Q Dark brown or tannish? 6 A Light. Light. 7 Q Light brown?	
5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 6 A Light. Light. 7 Q Now, I'm going to ask you about 7 Q Light brown?	
5 constant occurrence at the dump? 5 Q Dark brown or tannish? 6 A That was a daily occurrence. 6 A Light. Light. 7 Q Now, I'm going to ask you about 7 Q Light brown?	
7 Q Now, I'm going to ask you about 7 Q Light brown?	
7 Q Now, I'm going to ask you about 7 Q Light brown?	
8 are you familiar with a company called Dayton Power 8 A Mm-hmm.	
9 and Light? 9 Q Okay. Ever see any other DP&L truck	
10 A Yes. 10 colors?	
11 Q What is Dayton Power and Light? 11 A I'm trying to say a dark brown. I	
12 A That's our source of power here in 12 mean, I can see it in my mind a dark brown truck	
13 Dayton. 13 with "DP&L" written on the side of 'em, and those	. [
Q Power company? 14 were probably more of service trucks.	
15 À Please? 15 Q Say it again?	
16 Q Power company? 16 A They was more of like service	
17 A Right. 17 trucks, you know, that went out and did panels	
Q To your knowledge, was Dayton Power 18 trucks and things like that.	
and Light around when you began working at the dump 19 Q What about the dump trucks? What	
20 I'm sorry when you began visiting the dump 20 colors do you remember those being?	
when you were eight years old? 21 A I remember those as the lighter	
22 A Was they around? 22 brown.	
23 Q Yeah. 23 Q Ever see any dark green DP&L dump	
A Many years before that, too. Yes. 24 trucks?	
25 Definitely. Right. They was. 25 A I can't say.	

1 Q Now, what about white trucks? Did you ever see any white DP&L trucks? 3 A At that time I cannot recall any white trucks. 5 Q Not at that time? 6 A No. 7 Q And that time what period are we talking about now? 9 A In the sixtics. 10 Q And what about the fifties as well? 11 A I don't think so. 12 Q You don't thirk you saw any white ones? 13 ones? 14 A No. 15 Q Now, you mentioned the letters DP&L on the side of the dump trucks. 16 on the side of the dump trucks. 17 A Right. 18 Q Was that something you frequently saw? 20 A Yes. 21 Q Did you - A Yes. 22 A A Cross the street. 23 A A Cross the street. 24 Q Did you - Yes. 25 A Well, that was, I guess, where they bard across the street? 26 A Well, that was, I guess, where they bard across the street? 27 A Well, tan't say - from where I would be at, I can't say that. 28 Q And house are the DP&L trucks parked across the street? 29 A A Yes. 20 Q O Okay. Did you observe the dump trucks came? 20 A Well, that was, I guess, where they bard across the street? 21 A Well, tan't say - from where I to would be at, I can't say that. 29 Q O Okay. Did you observe the dump trucks across the street? 30 Q And that time cannot recall any they was lead 'cause my uncle would ent' em: dept was lead' cause my uncle would were around that size. And we'd break those open if they was lead 'cause my uncle would were around that size. And we'd break those open if they was lead 'cause my uncle would were around that size. And we'd break those open if they was lead 'cause my uncle would were around that size. And we'd break those open if they was lead 'cause my uncle would were around that size. And we'd break those open if they was lead 'cause my uncle wold were around that size. And we'd break those open if they was lead 'cause my uncle well them? A Yeah. Q And your uncle melted them? A Yeah. Q Which uncle was that? A Yeah. Q Which uncle was that? A Yeah. Q Which uncle was that? A Yeah. Q How would he do that? What did he trans' and he would - after it was melted he would dip'em and he		D 41		D 42
you ever see any white DP&L trucks? 3		Page 41		Page 43
A A that time I cannot recall any white trucks. Q Not at that time? A No. Q And that time what period are we talking about now? A In the sixtics. Q You don't think you saw any white Q You don't think you saw any white O Now, you mentioned the letters DP&L O nthe side of the dump trucks. A Right. A Right. A Right. A Ros. A Ross the street. C Were you able to tell from where the DP&L dump trucks came? A Well, that was, I guess, where they D Did you observe the DP&L dump trucks coming right from across the street into the South D Dyton Dump? A Well, I can't say -from where I would be at, I can't say -from where I across the street? A Yes. D O And those are the DP&L trucks parked across the street? A Right. Did you over have occasion to observe the types of waste? A Yes. Did you ever have occasion to observe the types of waste? A Yes. Did you ever have occasion to observe the types of waste? A Yes. Did you ever have occasion to observe the types of waste? A Telephone poles. A lot of -a lot A Yeah. Q Dive would he do that? What did no melt 'em? A Veah. Q How would he do that? What did no melt 'em? A Well, he had a in his trailer he had a burner, and he had like an iron skillet. Then he had a dipper and he would -affer it was melted he would dip'em and put 'em in like little trays. Looked like combread muffin trays or whatever. Q Cooking up some lead ingots would you call 'em? A Yes. Q Okay. Did you observe the dump trucks arrows the street; A Yes. Q Okay. Did you observe the dump trucks arrows the street; A Yes. Q Okay. Other the dump in DP&L dump trucks. Did you ever have occasion to observe the types of waste? A Yes. Q Okay. What did you observe? A Yes. Q Okay. What did you observe? A Yes. Q Okay. What did you observe? A Telephone poles. A lot of -a lot A Yeah. Q What happened to the transformers? A They'd cut 'em open and salvage.				
white trucks. Q Not at that time? A No. Q And what about the fifties as well? A In the sixties. Q You don't think you saw any white A No. Q Now, you mentioned the letters DP&L on the side of the dump trucks. A Right. Q Was that something you frequently Saw? A A Yes. Q Were you able to tell from where the DP&L dump trucks came? A A A Co. Q Were you able to tell from where the Q Did you A A Co. Q Did you A A Co. Q Did you A A Co. Q Did you observe the DP&L dump trucks coming right from across the street. A Well, I hant was, I guess, where they Dayton Dump? A Yes. Q Okay. Did you observe the dump trucks parked across the street? A Right. Q Oy Now, I want to talk about the type of waster? A Right. Q Oy Did you observe the DP&L dump trucks. C Oy Did you observe the dump trucks parked across the street? A Yes. Q Oy Did you observe the dump Trucks parked across the street? A Yes. Q Oy Did you observe the DP&L trucks parked of waster have a canne to the dump in DP&L dump trucks. Did you ever have occasion to observe the types of waste? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Right. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Yes. Q Oy Oyay. What did you observe? A Telephone poles. A lot of a lot 194 A Yesh. Q What happened to the transformers? A Yesh. A Hell, head a in his trailer he had a birner, and he had like an iron skillet. Then he had a dipper and he would after it was melled he would dip 'em and put 'em' in like little trays. Cooked like combread muffin trays or whatever. Q Cooking up some lead ingots would what I'm Sor				
5 Q Not at that time? 6 A No. 7 Q And that time what period are we talking about now? 8 talking about now? 9 A In the sixties. 9 A In the sixties. 10 Q And what about the fifties as well? 11 A I don't think so. 11 A I don't think so. 12 Q You don't think you saw any white 13 ones? 14 A No. 15 Q Now, you mentioned the letters DP&L 15 on the side of the dump trucks. 16 on the side of the dump trucks. 17 A Right. 18 Q Was that something you frequently saw? 19 Saw? 20 A Yes. 21 Q Were you able to tell from where the DP&L dump trucks came? 22 A A caross the street. 23 A A caross the street. 24 Q Did you 25 A Well, that was, I guess, where they 25 A Well, that was, I guess, where they 26 Was that cam't say from where I would be at, I can't say that. 27 Q Oay, Did you observe the dump trucks he street? 28 A Yes. 29 Q And your uncle melted them? 20 A A lcine. No, Gyr- Kenny. 20 A Kenny would melt the lead? 21 A Right. 22 Drive would be do that? What did he put the lead in to melt 'em? 23 A A cross the street. 24 Q Did you 25 A Well, that was, I guess, where they 25 A Well, that was, I guess, where they 26 A Yes. 27 Q Cooking up some lead ingots would you call 'em? 28 A Yes. 29 Q All right. And okay. What did he do with them after he made the 3 A I couldn't tell you. I don't know what he done with 'em. 4 Well, that would be my recollection. 5 Q Oay. Did you observe the dump trucks cares the street? 4 Q Oay. Did you observe the dump trucks the street? 5 A Well, that would be the purpose of melting 'em to sell' em. 6 Q Oay. Did you observe the types of waste that came to the dump in DP&L dump trucks. 5 Did you ever have occasion to observe the types of waste that came to the dump in DP&L dump trucks. 5 Did you ever have occasion to observe the types of waste that came to the dump in DP&L dump trucks. 5 Did you ever have occasion to observe the types of waste that came to the dump in DP&L dump trucks. 6 Q Oay. What did you observe? 7 A Yeah. 9 Q Oay. What did you observe? 16 A Yes. 9 Q Oay. What did you obse				
6 Å No. 7 Q And that time what period are we talking about now? 9 A In the sixties. 9 A I the sixties. 10 Q And what about the fifties as well? 11 A I don't think so. 12 Q You don't think you saw any white 12 A No. 13 ones? 14 A No. 15 Q Now, you mentioned the letters DP&L 16 on the side of the dump trucks. 17 A Right. 19 saw? 20 Were you able to tell from where the 21 Q Were you able to tell from where the 22 DP&L dump trucks came? 23 A A Crosh street. 24 Q Did you 25 A Well, that was, I guess, where they 25 A Well, that was, I guess, where they 26 Was that something where the would be at, I can't say that. 27 Q Okay. Did you observe the DP&L dump trucks. 3 coming right from across the street? 4 Q Did you observe the DP&L dump trucks coming right from across the street? 5 A Well, I can't say that. 6 Q Okay. Did you observe the dump 7 trucks parked across the street? 10 Q And you able to talk about the type of waste? 11 A Right. 12 Q Okay. What did you observe? 13 A Yes. 14 A Yeah. 15 Q How would net the lead? 16 A Yeah. 17 A Yes. 18 Q Ware you able to tell from where the beat into the little trays. Looked like combread muffin trays or whatever. 20 Cooking up some lead ingots would you call 'em? 21 A I guess. 22 Page 42 23 A Cooking up some lead ingots would whatever. 24 Q Did you observe the DP&L dump trucks coming right from across the street? 25 A Well, I can't say that. 6 Q Okay. Did you observe the dump 26 A Yes. 27 Page 42 28 A Yes. 29 Q All right. And — okay. What did he do with them after he made the — A I couldn't tell you what he done with 'em. 29 Q Okay. Und to talk about the type of waste that came to the dump in DP&L dump trucks. 19 Did you ever have occasion to observe the types of waster? 10 Q Okay. What did you observe? 11 A Yes. 12 Q Oway. What did you observe? 13 A Yes. 14 Q Oway. What did you observe? 15 A Yes. 16 Q Oway. What did you observe? 17 A Yes. 18 Q Oway. What did you observe? 19 A Telephone poles. A lot of — a lot 19 A They'd cut' emopen and salvage				
Ready Section Sectio		•		
8				
A In the sixties. Q And what about the fifties as well? A I don't think so. 11 Q Which uncle was that? A Yeah. Ones? A No. 14 A No. 15 Q Now, you mentioned the letters DP&L 16 on the side of the dump trucks. 17 A Right. 18 Q Was that something you frequently 19 saw? 20 A Yes. Q Were you able to tell from where the DP&L dump trucks came? 21 Q Were you able to tell from where the DP&L dump trucks came? 22 A Cooking up some lead ingots would what the would be would dip 'em and put 'em in like little trays. Looked like cornbread muffin trays or whatever. 21 Q Did you - 22 A Well, that was, I guess, where they Page 42 1 stored 'em. Q Did you observe the DP&L dump trucks coming right from across the street into the South Dayton Dump? A Well, I can't say from where I would be at, I can't say from where I would be at, I can't say that. Q O kay. Did you observe the dump trucks parked across the street? A Yes. Q Now, you mentioned the letters DP&L dump trucks coming right from across the street into the South Dayton Dump? A Yes. Q O All right. And okay. What did he owith them after he made the A Couldn't think so. Page 42 Page 42 A Well, that was, I guess, where they A Well, I can't say from where I would be at, I can't say that. Q O kay. Did you observe the dump trucks parked across the street? A Yes. Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. Did you ever have occasion to observe the types of waste? A Yes. Q O kay. What did you observe? A Yes. A Yes. A Yes. A Yes. A Yesh. Q Okay. What did you observe? A Yes. A Yesh. A Yesh. A Yesh. A Yeah. A Well, that would be my recollection. I mean, that would be transformers. Q Owhat happened to the transformers? A Yesh. A Telephone poles. A lot of -a lot A Telephone pone and salvage				
10				
11				
12				
ones? A No. Q Now, you mentioned the letters DP&L on the side of the dump trucks. A Right. Q Was that something you frequently saw? A Yes. Q Were you able to tell from where the DP&L dump trucks came? A A Cross the street. Q Did you A Well, that was, I guess, where they Page 42 stored 'em. Q Did you observe the DP&L dump trucks coming right from across the street into the South Dayton Dump? A Well, I can't say +- from where I would be at, I can't say that. Q Oxay. Did you observe the dump trucks parked across the street? A Right. Q Oxay. Did you observe the dump trucks parked across the street? A Right. Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. B Q Oxay. What did you observed that? A Yeah. Q Okay. What did you observed? A Telephone poles. A lot of a lot A Yeah. Q How would he do that? What did he put the lead in to melt 'em? A Yeah. Q How would he do that? What did he put the lead in to melt 'em? A Yeah. Q How would he do that? What did he put the lead in to melt 'em? A Well, he had a burner, and he had like an iron skillet. Then he had a dipper and he would after it was melted he would dip 'em and put 'em in like little trays. Looked like combread muffin trays or whatever. Q Cooking up some lead ingots would you call 'em? A I guess. Page 42 Page 42 Page 4 Q All right. And okay. What did he do with them after he made the A I couldn't tell you. I don't know what he done with 'em. Q Sell 'em? A Well, that would be my recollection. I mean, that would be the purpose of melting 'em to sell 'em. Q Oxay. Did you ever have occasion to observe the types of waste that came to the dump in DP&L dump trucks. Did you ever have occasion to observe? A Telephone poles. A lot of a lot A Telephone poles of the trucks parked and the sell a put 'em open and salvage				
14				
15				
on the side of the dump trucks. A Right. Q Was that something you frequently saw? A Yes. Q Were you able to tell from where the DP&L dump trucks came? A A Cross the street. DP&L dump trucks came? A Well, that was, I guess, where they DP Did you observe the DP&L dump trucks coming right from across the street into the South Dayton Dump? A Well, I can't say from where I would be at, I can't say that. Q Okay. Did you observe the dump trucks parked across the street? A Yes. Q And those are the DP&L trucks parked across the street? A Right. Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. Did you observe the types of waste? A Yes. Q Okay. What did you observe? A Yesh. Q What happened to the transformers? A They'd cut 'em open and salvage.				
17 A Right. 18 Q Was that something you frequently 19 saw? 20 A Yes. 21 Q Were you able to tell from where the 22 DP&L dump trucks came? 23 A A cross the street. 24 Q Did you 25 A Well, that was, I guess, where they 25 A Well, that was, I guess, where they 26 Doil you observe the DP&L dump trucks coming right from across the street into the South 27 Dayton Dump? 28 A Well, I can't say from where I 29 would be at, I can't say that. 29 Q Nay. Did you observe the dump trucks parked across the street? 30 Q And those are the DP&L trucks parked across the street? 31 A Yes. 32 Q Cooking up some lead ingots would you call 'em? 33 C Cooking up some lead ingots would you call 'em? 4 Dayton Dump? 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 6 Q Okay. Did you observe the dump trucks parked across the street? 7 Q Okay. Did you observe the dump trucks parked across the street? 8 I mean, that would be my recollection. 9 A Yes. 10 Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of waste? 16 Waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 18 A Well, he had a burner, and he had like an iron skillet. 19 Then he had a dipper and he would after it was melted he would dip 'em and put 'em in like little trays. Looked like cornbread muffin trays or whatever. 20 Q Cooking up some lead ingots would be detayou call 'em? 21 Teaply Looked like cornbread muffin trays or whatever. 22 Q Cooking up some lead ingots would be detayou call 'em? 24 Q All right. And okay. What did he do with them after he made the 3 A I couldn't tell you. I don't know what he done with 'em. 4 Daylon Dump? 4 A Yes. 4 Tean't say that. 5 Did you ever have occasion to observe the types of trucks parked across the street? 5 A Mm-hmm. 6 Q You observed that? 7 A Yesh. 9 A Telephone poles. A lot of				
18		•		*
19 saw? 20 A Yes. 21 Q Were you able to tell from where the 22 DP&L dump trucks came? 23 A Across the street. 24 Q Did you 25 A Well, that was, I guess, where they 25 A Well, that was, I guess, where they 26 a Well, that was, I guess, where they 27 a Well, I can't say from where I 28 would be at, I can't say that. 29 Q Okay. Did you observe the dump trucks parked across the street? 30 Q And those are the DP&L trucks parked across the street? 40 Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. 41 Did you ever have occasion to observe the types of waste? 42 Q Okay. What did you observe? 43 A Yes. 44 Q Did you 25 A Well, I can't say from where I 26 Would be at, I can't say that. 46 Q Okay. Did you observe the dump trucks parked across the street? 47 A Yes. 48 Q Okay. What did you observe? 48 Transformers is another thing. 59 A Yes. 50 Q Okay. What did you observe? 50 A Yes. 51 Did you ever have occasion to observe the types of waste? 51 A Yes. 52 A Transformers is another thing. 53 A I guess. 54 Page 42 55 A I guess. 55 Page 42 66 Waste that came to the dump in DP&L dump trucks. 66 Q Sell 'em? 77 A Yes. 67 Q Okay. What did you observe? 78 A Mm-hmm. 79 Q Okay. What did you observe? 70 A Yes. 70 Q Okay. What did you observe? 71 A Yes. 71 A Yes. 72 Q Okay. What did you observe? 73 A I guess. 74 Page 4 75 A I guess. 75 Page 4 76 Q All right. And okay. What did in would be with them after he made the 3 A I guess. 79 Q All right. And okay. What did he do with them after he made the 3 A I couldn't tell you what I'm sorry I can't tell you. I don't know what he done with 'em. 76 Q Sell 'em? 77 A Well, that would be my recollection. 79 I mean, that would be the purpose of melting 'em to sell 'em. 99 Q Okay. 90 Q Okay. 91 A Well, that would be the purpose of melting 'em to sell 'em. 99 A Transformers is another thing. 90 Q Okay. 91 A Mell, that would be the purpose of melting 'em to sell 'em. 99 A Yes. 90 Q Okay. 91 A Mell, that would be the purpose of mel	18		18	
20	19		19	
DP&L dump trucks came? A Across the street. Did you A Well, that was, I guess, where they Page 42 Stored 'em. Q Did you observe the DP&L dump trucks coming right from across the street into the South Dayton Dump? A Well, I can't say from where I Would be at, I can't say that. Q Okay. Did you observe the dump trucks parked across the street? A Yes. Q And those are the DP&L trucks parked across the street? A Right. Q Now, I want to talk about the type of waste: Did you ever have occasion to observe the types of waste? A Yes. Q Okay. What did you observe? A Yeah. Q What happened to the transformers? A They'd cut 'em open and salvage'	20	A Yes.	20	
A Across the street. Q Did you 25 A Well, that was, I guess, where they Page 42 1 stored 'em. 2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot Page 42 you call 'em? A I guess. Page 42 Q Cooking up some lead ingots would you call 'em? A I guess. Page 42 Q Call right. And okay. What did he do with them after he made the A I couldn't tell you. I don't know what he done with 'em. Q Sell 'em? A Well, that would be my recollection. I mean, that would be the purpose of melting 'em to sell 'em. Q Okay. A Transformers is another thing. There would be transformers. Q Coming in from the DP&L waste trucks? A Mm-hmm. Q You observed that? A Yes. Q Okay. What did you observe? A Telephone poles. A lot of a lot Page 42 Q All right. And okay. What did you call 'em? A I couldn't tell you with them after he made the A I couldn't tell you. I don't know what he done with 'em. Q Sell 'em? A Well, that would be my recollection. I mean, that would be the purpose of melting 'em to sell 'em. Q Okay. A Transformers is another thing. There would be transformers. A Mm-hmm. Q You observed that? A Yesh. Q What happened to the transformers? A They'd cut 'em open and salvage	21	Q Were you able to tell from where the	21	trays. Looked like cornbread muffin trays or
24 Q Did you 25 A Well, that was, I guess, where they Page 42 1 stored 'em. 2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot Page 42 Page 42 Page 42 Page 42 Page 42 Page 42 A I guess. Page 42 A Veal, right. And okay. What did he do with them after he made the 3 A I couldn't tell you. I don't know what he done with 'em. 4 Sorry I can't tell you. I don't know what he done with 'em. 4 Q Sell 'em? 4 Well, that would be my recollection. 5 I mean, that would be the purpose of melting 'em to sell 'em. 4 Transformers is another thing. 5 There would be transformers. 4 Q Coming in from the DP&L waste trucks? 5 A Mm-hmm. 6 Q You observed that? 6 A Yes. 6 Q Okay. What did you observe? 7 A Yesh. 7 A Yesh. 8 Q Okay. What did you observe? 9 A Telephone poles. A lot of a lot 9 A They'd cut'em open and salvage		DP&L dump trucks came?		whatever.
Page 42 1 stored 'em. 2 Q Did you observe the DP&L dump trucks coming right from across the street into the South Dayton Dump? 4 Dayton Dump? 5 A Well, I can't say from where I would be at, I can't say that. 7 Q Okay. Did you observe the dump trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked across the street? 11 A Right. 12 A Right. 13 Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot Page 42				
Page 42 1 stored 'em. 2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 1 Q All right. And okay. What did 2 he do with them after he made the 3 A I couldn't tell you. I don't know what he done with 'em. 2 Q Sell 'em? 4 Well, that would be my recollection. 5 I mean, that would be the purpose of melting 'em to sell 'em. 4 Transformers is another thing. 5 Did you ever have occasion to observe the types of A Yes. 6 Q Okay. 7 A Yes. 7 A Yes. 8 Q Okay. What did you observe? 9 A Telephone poles. A lot of a lot 9 A They'd cut 'em open and salvage				•
1 stored 'em. 2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 1 Q All right. And okay. What did 2 he do with them after he made the 3 A I couldn't tell you what I'm 4 sorry I can't tell you. I don't know what he 4 done with 'em. 6 Q Sell 'em? 7 A Well, that would be my recollection. 8 I mean, that would be the purpose of melting 'em to sell 'em. 9 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 Did you ever have occasion to observe the types of 16 Waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 1 Q All right. And okay. What did 2 he do with them after he made the 3 A I couldn't tell you. I don't know what he 4 sorry I can't tell you. I don't know what he 4 done with 'em. 9 A Well, that would be my recollection. I mean, that would be the purpose of melting 'em to sell 'em. Q Okay. A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 1 A Transformer is another trim on the done with 'em. 1 A Yes. 1 Q What happened to the transformers? 1 A They'd cut 'em open and salvage	25	A Well, that was, I guess, where they	25	A I guess.
2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 2 he do with them after he made the 3 A I couldn't tell you. I don't know what he 4 done with 'em. 6 Q Sell 'em? 7 A Well, that would be my recollection. 8 I mean, that would be the purpose of melting 'em to sell 'em. 9 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage		Page 42		Page 44
2 Q Did you observe the DP&L dump trucks 3 coming right from across the street into the South 4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 2 he do with them after he made the 3 A I couldn't tell you. I don't know what he 4 done with 'em. 6 Q Sell 'em? 7 A Well, that would be my recollection. 8 I mean, that would be the purpose of melting 'em to sell 'em. 9 Q Okay. 11 There would be transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage	1	stored 'em.	1	Q All right. And okay. What did
4 Dayton Dump? 5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 4 sorry I can't tell you. Í don't know what he done with 'em. 6 Q Sell 'em? 7 A Well, that would be my recollection. 8 I mean, that would be the purpose of melting 'em to 9 sell 'em. 10 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage	2	Q Did you observe the DP&L dump trucks	2	
5 A Well, I can't say from where I 6 would be at, I can't say that. 7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 5 done with 'em. 6 Q Sell 'em? 7 A Well, that would be my recollection. 8 I mean, that would be the purpose of melting 'em to sell 'em. 10 Q Okay. 11 A Well, that would be the purpose of melting 'em to sell 'em. 12 Di would be transformers is another thing. 13 December 14 A Transformers is another thing. 14 There would be transformers. 15 A Mm-hmm. 16 Q You observed that? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage	3	coming right from across the street into the South	3	A I couldn't tell you what I'm
would be at, I can't say that. Q Okay. Did you observe the dump trucks parked across the street? A Yes. Q And those are the DP&L trucks parked across the street? A Right. Q Now, I want to talk about the type of waste that came to the dump in DP&L dump trucks. Did you ever have occasion to observe the types of waste? A Yes. Q Okay. A Transformers is another thing. There would be transformers. Q Coming in from the DP&L waste trucks? A Mm-hmm. Q You observed that? A Yes. Q Okay. A Transformers is another thing. A Mm-hmm. Q You observed that? A Yeah. Q What happened to the transformers? A They'd cut 'em open and salvage	4	Dayton Dump?		sorry I can't tell you. I don't know what he
7 Q Okay. Did you observe the dump 8 trucks parked across the street? 9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 17 A Telephone poles. A lot of a lot 18 Well, that would be my recollection. 18 I mean, that would be the purpose of melting 'em to sell 'em. 10 Q Okay. 11 A Well, that would be my recollection. 12 I mean, that would be the purpose of melting 'em to sell 'em. 10 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste trucks? 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage	5			
trucks parked across the street? A Yes. Q And those are the DP&L trucks parked 10 Q And those are the DP&L trucks parked 11 across the street? A Right. Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. Did you ever have occasion to observe the types of waste? A Yes. Q Okay. I mean, that would be the purpose of melting 'em to sell 'em. A Transformers is another thing. There would be transformers. Q Coming in from the DP&L waste trucks? A Mm-hmm. A Mm-hmm. Q You observed that? A Yeah. Q Okay. What did you observe? A Telephone poles. A lot of a lot A They'd cut 'em open and salvage				
9 A Yes. 10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 9 sell 'em. 10 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q Okay. What did you observe? 18 Q What happened to the transformers? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage				
10 Q And those are the DP&L trucks parked 11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 10 Q Okay. 11 A Transformers is another thing. 12 There would be transformers. 12 Coming in from the DP&L waste 13 trucks? 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage		*		
11 across the street? 12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 10 A Transformers is another thing. 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage				
12 A Right. 13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 10 There would be transformers. 10 Q Coming in from the DP&L waste 11 trucks? 12 There would be transformers. 13 Q Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q What happened to the transformers? 19 A They'd cut 'em open and salvage				
13 Q Now, I want to talk about the type 14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 10 Coming in from the DP&L waste 14 trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q What happened to the transformers? 19 A They'd cut 'em open and salvage				
14 of waste that came to the dump in DP&L dump trucks. 15 Did you ever have occasion to observe the types of 16 waste? 17 A Yes. 18 Q Okay. What did you observe? 19 A Telephone poles. A lot of a lot 19 A Telephone poles. A lot of a lot 10 Trucks? 15 A Mm-hmm. 16 Q You observed that? 17 A Yeah. 18 Q What happened to the transformers? 19 A They'd cut 'em open and salvage				
15Did you ever have occasion to observe the types of 1615A Mm-hmm.16waste?16Q You observed that?17A Yes.17A Yeah.18Q Okay. What did you observe?18Q What happened to the transformers?19A Telephone poles. A lot of a lot19A They'd cut 'em open and salvage				
16waste?16Q You observed that?17A Yes.17A Yeah.18Q Okay. What did you observe?18Q What happened to the transformers?19A Telephone poles. A lot of a lot19A They'd cut 'em open and salvage				
17A Yes.17A Yeah.18Q Okay. What did you observe?18Q What happened to the transformers?19A Telephone poles. A lot of a lot19A They'd cut 'em open and salvage				
18 Q Okay. What did you observe? 18 Q What happened to the transformers? 19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage				•
19 A Telephone poles. A lot of a lot 19 A They'd cut 'em open and salvage				
$1 \ \angle \cup$ of ceramic type fixtures that you would see up on $1 \ \angle \cup$ whatever copper or whatever voild get out of 'em.	20	of ceramic type fixtures that you would see up on	20	whatever copper or whatever you'd get out of 'em.
the poles at that era. A lot of like flanges and 21 Q Is it typical to find copper in the				
22 things that would be on the poles. Ceramic type 22 transformers?				
23 ceramic type cylinders. My recollection they was 23 A Copper.			23	
24 gray and they was full of some well, they was 24 Q Who did that work? Kenny?		gray and they was full of some well, they was		
25 full of looked like a BB, I guess. 25 A Alcine.	25	full of looked like a BB, I guess.	25	A Alcine.

	Page 45		Page 47
1	Q Alcine?	1	saw that.
2	A Kenny. Right.	2	Q Do you know when it stopped, when he
3	Q Kenny?	3	stopped doing the lead melting?
4	A He was the one that did all of the	4	A Probably when they closed the dump
5	going through whatever salvage whatever he can,	5	up.
6	the copper, aluminum or whatever.	6	Q Do you know the word "clinker"?
7	Q And what about oils and the	7	A Yeah.
8	remaining parts of the transformer? What happened	8	Q What's a clinker? C-L-I-N-K-E-R.
9	to those?	9	A It's the waste from, I guess, the
10	A Well, it would get burned.	10	fire stacks, boilers.
11	Q And then after burning, what	11	Q Ever have any involvement with the
12	happened to it?	12	clinkers at the South Dayton Dump?
13	A It would get bulldozed. Bulldozed	13	A I collected 'em.
14	over and start with the next pile.	14	Q You collected 'em?
15	Q Bulldozed and buried?	15	À Mm-hmm.
16	A Mm-hmm.	16	Q Did they come into the dump?
17	Q Alcine have any involvement with the	17	A Yes.
18	transformers?	18	Q Did they come from DP&L?
19	A That wasn't his his mostly was	19	A Yes.
20	moving material around out in the dump.	20	Q Why did you collect them?
21	Q Okay. Now, as transformers come in	21	A I used 'em to reface the front of my
22	on the DP&L waste trucks, did you observe those	22	house with them.
23	coming in during the time you were	23	Q The house you bought in 1965?
24	A The time I was down there, yes,	24	A Right.
25	mm-hmm.	25	MR. HARBECK: Could you read back the
	Page 46		Page 48
1	Q What period of time would you say	1	answer when he said waste from the
2	you saw the transformers?	2	(Whereupon, the answer was read back by
3	A Well, that would have had to have	3	the court reporter.)
4	been in sixties to '65 around in you know.	4	BY MR. SILVER (Continuing):
5	Q What about the earlier period when	5	Q I'm going to place a series of
6	you started visiting at eight years old?	6	photographs in front of you, Mike, which we'll mark
7	A That type of stuff was I seen it	7	as Exhibits 2 through 5.
8	there, but really in the early, early ages, you	8	(WHEREUPON, Wendling
9	know, I was quite little so I didn't go there as	9	Deposition Exhibit Numbers 2
10	often. So mostly when I was down there at a little	1	through 5 were marked for
11 12	later age when I was working then I would see them come and go.	11 12	purposes of identification.) Q Mike, we put in front of you
13	Q And that was true of the connectors	13	Exhibits 2 through 5. Starting with Exhibit 2, can
14	and the fixtures?	14	you identify that photo for me?
15	A Right, mm-hmm.	15	A That's my house. Was my house in
16	Q Same time period?	16	'65.
17	A Yeah.	17	Q Okay.
18	Q Okay. And what about the telephone	18	A Yeah.
19	poles?	19	Q And, you know, you've been talking
20	A Same period of time.	20	about clinkers. Is there any connection between
21	Q And what about Kenny and his lead	21	that photo and clinkers?
22	burning operation? Was that going on the entire	22	A Well, they're on the front of my
23	time?	23	house.
24	A As long as I've ever been down	24	Q Would you say it's the outer layer
25	there, yeah. The time that I was really little I	25	of your house?

	Page 49		Page 51
,		1	
1 2	A Right. Q Did you install those clinkers?	1 2	was marked for purposes of identification.)
3	A Yes.	3	Q Do you recognize anything in that
4	Q Did you get them from the South	4	photo, Mike?
5	Dayton Dump?	5	A Well, I recognize similarities.
6	A Yes.	6	Q Tell me what similarities you
7	Q Okay. And why don't we go to	7	recognize.
8	Exhibit 2 I'm sorry Exhibit 3. We were just	8	A Well, these tall things. The ones
9	looking at Exhibit 2. Same thing. What's that?	9	that I saw in the dump were much smaller than
10	A Yes.	10	these.
11	Q Tell me.	11	Q Why don't you circle which tall
12	A Same clinkers.	12	things you're talking about so we know.
13	Q Same house?	13	A (So complies.)
14	A Same house.	14	Q And let the record reflect that he's
15	Q Which you installed?	15	circling some items on the exhibit the photo on
16	A Which I installed.	16	Exhibit 6. And why don't you label what you're
17	Q And I take it the other photos	17	looking at just to make it clear where the circle
18	look at 4 and 5 now. Tell me if they're just more	18	is.
19	of the same.	19	A "Round cylinders"?
20	A Same. Same thing.	20	Q Whatever you think.
21	Q All righty. So you found the	21	A Well, that's what they would be to
22	clinkers at the South Dayton Dump?	22	me.
23	A Right.	23	Q Maybe put it by the blue so it will
24	Q What made you think they would be a	24	show up a little better.
25	good outer surface for your house?	25	A (So complies.)
	Page 50		Page 52
1	A My vision, I guess. I just like to	1	Q Well, that's all right.
2	remodel things, just do things differently. So	2	A Round tubes. I'm going to call them
3	when I was down there I just seen these things and	3	round tubes.
4	messed with them a little, see they're hard and	4	Q Round tubes. Now, you observed
5	everything. I said, well, why not give it a try,	5	those round tubes similar round tubes, but
6	and I did.	6	smaller at the site?
7	Q Did you was that common for you	7	A Smaller, right.
8	to try to make use of items that you found at the	8	Q During the time that you were active
9	dump?	9	at the site?
10	A Yes.	10	A Right, right.
11	Q Now, while you were doing the	11 12	Q And where did those similar round
12	installing the clinkers on the outer layer of your		tubes come from?
13 14	house, did you get to a point where you needed more clinkers?	13 14	A Dayton Power and Light. Q And were those brought over to the
15	A I did at a point run out.	15	Q And were those brought over to the dump in the Dayton Power and Light waste trucks?
16	Q And what did you do then?	16	A Yes, right.
17	A Well, I tried to go over to DP&L and	17	Q Did you have the opportunity to
18	get some, and they told me I couldn't have any.	18	observe the round tubes in the photos recently?
19	Q Okay. All righty. Now, I want to	19	A Yes.
20	show you another exhibit. We'll call it Exhibit	20	Q When was that?
21	Number 6. It's a photo with some fencing and	21	A Yesterday.
22	barbed wire in front of it. I'll give it to the	22	Q Did you also have the opportunity to
23	court reporter for marking, Exhibit Number 6.	23	visit the dump recently?
24	(WHEREUPON, Wendling	24	A Yes.
25	Deposition Exhibit Number 6	25	Q When was that?

	Page 53		Page 55
1	A Yesterday.	1	just seeing the head part of it. I can't you
2	Q And what did you do when you were at	2	know, I can't see all of that in my mind.
3	the dump?	3	Q You didn't necessarily see a body?
4	A Just walked, observed and tried to	4	A Exactly. Right, right.
5	put my memory of what it was at that time.	5	Q But in your mind you saw the head
6	Q Now, thinking back this may be	6	
7	difficult. Thinking back, prior to yesterday's	7	A Right.
8	visit to the dump when was the last time you were	8	Q that's on Exhibit 7?
9	there?	9	A Right.
10	A Early seventies.	10	Q Is that right?
11	Q Been that long?	11	A It was you know, the face that I
12	A Yeah.	12	could see was like yellow.
13	Q Now, we've been talking about the	13	Q All right. Ever hear the name Reddy
14	DP&L waste trucks that came to the dump. Do you	14	Kilowatt?
15	remember any other markings on the trucks in	15	A Well, that's what they called him.
16	addition to the lettering of DP&L?	16	Q Now, a question about one more
17	A In my mind I see a funny looking	17 18	question about DP&L. Well, let me ask strike
18 19	man. Not a man. A picture of like the peanut head	19	that. Did any customers of the dump have a key
20	or like a light bulb type of a thing with a face on it.	20	to the dump's gate?
21	Q Okay. You saw those as a marking on	21	A Well, to my recollection there was
22	the dump trucks from DP&L?	22	two companies that to my recollection would. It
23	A Yes.	23	was Franklin Iron and Metal and DP&L. DP&L I knew
24	(WHEREUPON, Wendling	24	brought stuff in at nighttime.
25	Deposition Exhibit Number 7	25	Q DP&L brought the stuff in at
	Page 54		Page 56
1	was marked for purposes of	1	nighttime you said?
2	identification.)	2	A Yeah.
3	Q Let me place in front of you Exhibit	3	Q What about Franklin Iron?
4	Number 7. I'm putting Exhibit 7 in front of you.	4	A They would come and pick up, or vice
5	Do you recognize the figure on Exhibit 7?	5	versa. If there was nobody there, they had the
6	A Yes.	6	freedom to come and go.
7	Q And what is that?	7	Q And is it your understanding that
8	A Well, this is somewhat the figure	8	the reason these companies had a key was to be able
9	that I would see on the truck, but I mostly seen	9	to enter the dump when it was closed?
10	the head part of it.	10	A Well, they had to when they had
11	Q Okay. All right. Did you ever see	11	to get rid of it I guess when they cleaned up
12	that figure on any go ahead.	12	they had to get rid of it. Whatever they was
13	A No, you go ahead. Oh, I've seen the	13	cleaning up they had to have a key to bring it and
14	sign.	14	get rid of it at that particular time.
15 16	Q What sign is that? A Well, there on 75 there used to be a	15 16	Q And that particular time would be when the dump was closed?
17	A Well, there on 75 there used to be a sign, big sign, had some writing on it. But I'm	17	A When it was closed, definitely,
18	just just vague on what the sign said.	18	right.
19	Q Did you understand that to be a DP&L	19	Q How are you doing? You need a break
20	sign?	20	or anything, Mike?
21	A Yes.	21	A I'm fine.
22	Q And the Exhibit 7 in front of you is	22	Q We'll keep going then.
23	similar is that similar to what you saw on the	23	I want to ask you about some other
24	DP&L waste trucks?	24	companies. The focus of the questions are going to
25	A Well, like I say, in my mind I'm	25	be whether or not they were customers of the dump

	Page 57		Page 59
1	to your knowledge. Let me start with B.G. Danis	1	wood material?
2	Company.	2	A Could be metal.
3	A Danis.	3	Q Anything else?
4	Q Yeah.	4	A No fill, so, no.
5	A Yeah, it was it was a big	5	Q Okay. Now, what about a company
6	contracting company at that time. Still is, I	6	called Blaylock Trucking?
7	guess.	7	A Blaylock?
8	Q They were a big contracting company?	8	Q Yeah.
9	A Mm-hmm.	9	À No.
10	Q What kind of things did they	10	Q Don't have any familiarity with that
11	contract?	11	company name?
12	A Buildings, roads.	12	A Well, I know the name.
13	Q Were they was B.G. Danis a	13	Q Right.
14	customer of the South Dayton Dump to your	14	A But I don't see them bringing
15	knowledge?	15	anything there.
16	A At that time, yeah, I have seen the	16	Q You don't recall their bringing
17	trucks come in.	17	anything to the South Dayton Dump?
18	Q And what time would that have been?	18	A No.
19	A In the early sixty years. Well,	19	Q What about Coca-Cola?
20	actually all the time.	20	A Coca-Cola, yes.
21	Q All the time while you were	21	Q Tell me about Coca-Cola.
22	associated with the dump?	22	A Bottles, caps, wood trays that the
23	A Right.	23	bottles came in. Truckloads of them.
24	Q Now, what kind of trucks did B.G.	24	Q Any liquids?
25	Danis bring to the dump?	25	A No.
	Page 58		Page 60
1	A Dump trucks.	1	Q None that you can recall?
2	Q Do you remember the color?	2	A No.
3	A Red.	3	Q And you recall Coca-Cola bottles and
4	Q They had red dump trucks?	4	caps and wood trays coming to the South Dayton
5	A Mm-hmm.	5	Dump?
6	Q Do you recall the name "Danis" on	6	A Right.
7	them?	7	Q You observed that?
8	A Yes.	8	A Definitely, yes.
9	Q What kind of waste did you observe	9	Q How frequently?
10	them bringing to the site?	10	A Well, that wouldn't be a real
11	A Well, they would mostly bring in	11	frequent thing. You know, that might have just
12	wood type of stuff.	12	been maybe every three, four, five, six months or
13	Q What type of stuff?	13	something, you know, whenever they did a cleanup, I
14	A Wood.	14	guess.
15	Q Anything else?	15	Q What kind of trucks?
16	A No.	16	A Dump trucks.
17	Q Construction?	17	Q And did it say "Coca-Cola" on the
18	MR. HARBECK: Object. Leading.	18	trucks?
19	BY MR. SILVER (Continuing):	19	A Coca-Cola, yes, mm-hmm.
20	Q Do you know whether they brought	20	Q Are you familiar with a company
21	construction debris into the site?	21	named Duriron?
22	A Well, wood material would be	22	A Duriron, yes.
23	construction debris to me.	23	Q D-U-R-I-R-O-N. What can you tell me
24	Q Do you know whether they brought in	24	about Duriron?
25	other kinds of construction material other than	25	A Not a whole lot.

		<u> </u>	
	Page 61		Page 63
1	MR. MOSS: I'm sorry?	1	a combination of coiled up wire and brake shoes and
2	THE WITNESS: Not a whole lot. I can't	2	brake cylinders that had the rubber caps on the
3	recollect.	3	end.
4	BY MR. SILVER (Continuing):	4	Q Now, where did this material come
5	Q Do you remember whether Duriron	5	from?
6	brought any waste to South Dayton Dump?	6	A Come from the brake plant on
7	A I'm not going to say I honestly	7	well, right there I'm not sure what the street
8	don't recall.	8	was. Delco well, it was the Delco brake plant
9	Q That's all right. Do you remember	9	right off of Nicholas Road.
10	maybe I'll try to help you out there. Do you	10	Q Now, Delco, is that what you said?
11	recall any trucks that had metal boxes	11	A Delco.
12	A Oh	12	Q And do I understand you correctly
13	Q Let me finish my question. Metal	13	that it was Franklin Iron and Metal that brought in
14 15	boxes on the back?	14	the waste
16	A Yes.	15 16	A Right. O from Delco?
17	Q Tell me what you recall.	17	`
18	A These were a big about a eight-by-eight square box that was attached to the	18	A Right.
19	back of the truck with chains on it, and when	19	Q And did you observe the "Franklin" name on the trucks?
20	they'd dump it they would just lift up the box and	20	A Yes.
21	just dump it on the ground.	21	Q What about cylinders? Did they
22	Q At the dump?	22	bring cylinders?
23	A Yes.	23	A That's what I said, brake shoes and
24	Q And so how would the box come off	24	brake cylinders.
25	the truck?	25	Q What about oil shavings?
	Page 62		Page 64
1	A It never came off the truck. It	1	A Oil shavings, right. That would be
1 2	just dumped the material out and it would fall.	1 2	all in the combination in the truck itself.
3	Q Were the chains used to hold the box	3	Q Do I recall your testimony earlier
4	on the truck?	4	that Franklin had its own keys?
5	A Right.	5	A Franklin had their own keys, right.
6	Q What company, if you can recall,	6	Q Did Franklin pick up anything from
7	used those kinds of trucks to dump waste at the	7	the dump?
8	site?	8	A Well, when we or when they would
9	A To what I can recall would have been	9	burn that load of materials, which included the
10	Franklin Iron and Metal and Walther's, what I can	10	brake shoes, it would burn off the shoe itself, and
11	recall.	11	then the cylinders burned off the rubber on the
12	Q Do you remember Duriron using those	12	ends of 'em. And then Franklin would come and pick
13	kinds of trucks?	13	'em up and take 'em to their facility.
14	A I can't see the name "Duriron" on	14	Q Take 'em to their facility?
15	anybody's trucks.	15	A Yeah.
16	Q Okay. All right. No problem.	16	Q So they were doing salvage?
17	Now, we just talked about Franklin Iron	17	A Yeah, that's what they was, a
18	and Metal.	18	salvage place, yeah.
19	A Mm-hmm.	19	Q So they were both transporting
20	Q And they had trucks like we just	20	A Yeah.
21	described?	21	Q and then salvaging, too?
22	A Yes.	22	A Right.
23	Q Do you know what kind of materials	23	Q Same trucks?
24	Franklin Iron and Metal brought to the dump?	24	A Same trucks. Well, no, it couldn't
25	A The biggest part of it would be like	25	be same trucks because they couldn't pick 'em

	Page 65		Page 67
		_	
1	these would be like a dump truck.	1	A Oh, absolutely.
2	Q Which was the dump truck? The	2 3	Q What did the Pepsi trucks look like?
3 4	salvage truck or the	4	A Pepsi trucks.
5	A The ones going back.	5	Q Were they dump trucks? A Mostly what I can recall is I
6	Q The one going backA Right.	6	A Mostly what I can recall is I can't see the dump truck, but I can see the truck
7	Q was a dump truck?	7	that would like bring in the crates and things
8	A Yeah.	8	stacked up on the side of the trucks, and they'd
9	Q And the one coming in was more of a	9	just push 'em out.
10	box truck?	10	Q Pepsi name on the trucks?
11	A Right, right.	11	A Yes.
12	Q What about McCall's magazine? Are	12	Q How frequently would you see
13	you familiar with that company?	13	A Well, I think this would probably be
14	A Yes.	14	something similar to Coke. You know, it's not an
15	Q They bring anything to the dump?	15	everyday occurrence. But whenever they come, we
16	A They would bring in a lot of	16	had a call that "The Pepsi bottles are there. Come
17	magazines, barrels of some type of a sludge	17	look." But I can't say how frequently.
18	material. I don't know what it's used ink or	18	Q Do you know the a company named
19	cleanup material or whatever. I can't really say	19	Standard Register?
20	what was in it, but as it runs it would be a thick	20	A Standard Register, yes, mm-hmm.
21	material or something or other.	21	Q What can you tell me about Standard
22	Q What kind of truck did McCall's use?	22	Register?
23	A I'm trying to think. I can't recall	23	A From Standard Register I could see
24 25	their trucks.	24 25	like brass or probably brass shavings material,
25	Q Do you remember if McCall's had its	23	parts, rolls of paper.
	Page 66		Page 68
1	name on their trucks?	1	Q Now, did you see these materials
2	A I can't recall their trucks. All I	2	coming into the dump from Standard Register?
3	can really recall is seeing the material there. I	3	A I can see it in my mind.
4	can't say I seen 'em dump it or	4	Q Did you see these materials at the
5	Q No problem.	5	dump?
6	How about Pepsi-Cola?	6	A Yes.
7 8	A Pepsi-Cola, yeah, they was a big	7 8	Q And did you see the Standard
9	a big well, they was a customer, yes. Q Of the South Dayton Dump?	9	Register name on the materials? A No.
10	Q Of the South Dayton Dump? A Yes.	10	Q Why do you associate Standard
11	Q Did you observe Pepsi-Cola trucks	11	Register with the dump?
12	come in?	12	A I just knew that they was one of
13	A Yes.	13	their customers.
14	Q What did they bring in?	14	Q How did you know that?
15	A Same as Coke. Busted up bottles and	15	A I guess just talk. You just hear,
16	crates, caps. We used to go through the I don't	16	you know, uncles or whatever.
17	know if any of these guys they had a contest	17	Q It's your understanding that
18	where under the caps they had letters, and we would	18	Standard Register was one of the customers?
19	go through all this debris and get the caps and	19	A Oh, yes, definitely.
20	trying to match up something.	20	Q Did barrels come in from Standard
21	Q There was a contest that Pepsi ran	21	Register to your knowledge?
22	with the caps?	22	A No, I can't recall.
23	A Yeah.	23	Q I think I'm going to take a little
24	Q So you remember looking for the	24	break, give you a little a break, Mike.
25	caps?	25	A Sure.

	_		
	Page 69		Page 71
1	Q When I come back I probably won't	1	A Right.
2	have more than five minutes of questions. Then	2	Q You worked for 15 years, so I assume
3	I'll pass the witness on to my colleagues here at	3	you worked for Liberal Supermarket until 1980?
4	the table and give them a chance. I expect maybe	4	A Well, let's see. At no, no, at
5	only one or two of them will have questions, so	5	'65 I was 20 years old. So I started in '61 or '2.
6	we'll get you out of here by lunchtime. We'll see.	6	Q When did you stop working for
7	All right.	7	Liberal Supermarket?
8	(Whereupon, a recess was taken.)	8	A Right around, let's see, '71.
9	MR. SILVER: All right. Thank you, Mike,	9	Somewhere around in there.
10	for your testimony. There is a small chance I	10	Q And what did you do after that?
11	might ask you another question or two when we go	11	A I after I left there I started
12	around the circle, but for now I'm passing the	12	sort of my own business.
13	witness to the Dayton Power and Light attorney.	13	Q And what was your own business?
14	THE WITNESS: All right. Thank you.	14	A Home remodeling and stonemason.
15	CROSS EXAMINATION	15	Q Did you have a company?
16	BY MR. MERRILL:	16	A Just myself. No, no.
17	Q Good morning, Mr. Wendling.	17	Q How long did you do that?
18	A Good morning, sir.	18	A Well, I'm doing that up till I've
19	Q My name is Frank Merrill, and I'm an	19	been doing that from that period up to now on and
20	attorney here representing the Dayton Power and	20	off and on and off and on and off. Constantly
21	Light Company, and I'm going to ask you some	21	doing that.
22	questions regarding your testimony previously with	22	Q So is it fair to say since 1971
23	Mr. Silver. Should I call you Mike?	23	you've been self-employed as a home remodeler,
24	A Sure. That would be fine. Thank	24	stonemason?
25	you.	25	A Right. Plus other jobs that I've
	Page 70		Page 72
1	Q Okay, Mike. Can you maybe go back	1	had.
2	and give me some more clarification on your	1 2	Q What other jobs have you had?
3	employment here? You indicated that you worked for	3	A I've had three jobs at three
4	Liberal Supermarket	4	different factories as a maintenance supervisor.
5	A Right.	5	Q And what are those factories?
6	Q in high school when you were 16	6	A One of 'em was called Mamco
7	years old I recall?	7	Converters, M-A-M-C-O Converters.
8	A Right.	8	Q Okay. The second one?
9	Q And then when you graduated from	9	A The second one was it was the
10	high school in 1965	10	same company, but they sold out to another one.
11	A Right.	11	Boy, boy, I can't even think of the name. I'll get
12	Q you started full-time with	12	it here before we leave.
13	Liberal Supermarket?	13	Q Can you give me the general time
14	A Right.	14	frames when you were a maintenance supervisor
15	0 77 1 111 1 0 7 7 1	15	working for these three companies?
16	Q How long did you work for Liberal Supermarket?	16	A From the years of, let's see,
17	A Right at about 15 years.	17	nineties up through 2002 or '3, around in there
18	Q And why did you leave?	18	somewheres.
19	A Actually the store the company	19	Q From 1971 until 1990 you were
20	closed up.	20	employed as a home remodeler/stonemason?
21	Q And that was around 1970?	21	A I did home remodeling, right.
22	A Well, I actually left before the	22	Q Were you ever employed at the South
23	store actually closed. But they lingered on,	23	Dayton Dump?
23 24	changed hands different times. Ask me again.	23	A I don't know if I could call myself
25	Q You graduated in 1965.	25	an employee. I done the work there as
	Q I ou graduated III 1905.	2.7	an employee. I done the work there as

	Page 73		Page 75
1	Q Did you get a paycheck from Uncle	1	For the time period from 1961 to '65
2	Kenny?	2	A Mm-hmm.
3	A Cyril.	3	Q you didn't have to show up at the
4	Q Cyril?	4	dump and work; is that correct?
5	A He would pay me.	5	A Oh, no.
6	Q Would he pay you in cash or would	6	Q The question is, is that correct?
7	you get a paycheck?	7	A Correct.
8	A Well, I would say cash.	8	Q Then from 1965 until 1990, did you
9	Q Okay. So you never received like a	9	ever have to go to the dump to work?
10	W-2?	10	A No.
11	A Oh, no. I mean, this is a family	11	Q So the same characterization of your
12	operation. So, no, I never received that.	12	visits to the dump were you would just show up
13	Q Okay. When you were working at	13	whenever you wanted to visit your uncle
14	Liberal Supermarket, which was 1960	14	A No.
15	A '1 or '2 up to around '70, '71.	15	Q or he would pick you up?
16 17	Q You were part-time until you	16 17	A He would pick me up when he wanted
18	graduated from high school? A Exactly.	18	me to do something or I would go on my own. Q How often would he pick you up to do
19	Q And that was 1965?	19	Q How often would he pick you up to do something at the dump after 1965 on an annual
20	A '65, yeah.	20	basis?
21	Q How many hours did you work at	21	A Well, after that time he probably
22	Liberal Supermarket?	22	not a lot himself. These were more the earlier
23	A At what time?	23	years.
24	Q Between when you started and when	24	Q I'm going to focus on the period
25	you graduated from high school.	25	after 1965 when you graduated from high school.
	Page 74		Page 76
1	A Oh, I was probably 25, 30 hours a	1	A Okay.
2	week pretty much pretty steady.	2	Q You're working full-time, correct
3	Q And you went to school	3	À Right.
4	A In Centerville.	4	Q at Liberal Supermarket?
5	Q during that same period of time?	5	A Right.
6	A Yes.	6	Q How many hours a week are you
7	Q How much time then did you work at	7	working at Liberal Supermarket?
8	the South Dayton Dump during that period?	8	A Twenty-five, 30. I worked a lot.
9	A It would be mostly like on weekends.	9	Twenty-five, 30, probably around in there.
10	Probably weekends.	10	Q Even after 1965?
11	Q How many hours would you be at the	11	A Oh, no. I was full-time.
12	dump during the weekends in that time period?	12	Full-time.
13	A I have to it sounded like what	13	Q Forty hours a week is full-time?
14 15	you you're making it sound like I had a regular	14 15	A Yes.
16	job there like an eight-hour job, six hours or whatever. It wasn't like that.	16	Q And you would visit the dump? A On a daily, every other day or
17	Q You characterize to me what it was	17	something. A regular basis.
18	like.	18	Q And why would you go to the dump
19	A Whenever my uncle would pick me up	19	during that time period?
20	and take me down to do a certain job or I would go	20	A Well, because it's just something we
21	on my own just for my own personal things.	21	always did. It's part of our how can I say it?
22	Q But you didn't have to show up at a	22	It's something where you just go like some people
23	certain time or a certain day to work?	23	might go to McDonald's or whatever. You just go
24	A No, no.	24	there. It's a place to go.
25	Q Does that strike that.	25	Q Would you go there routinely at a

	Page 77		Page 79
1	certain time period?	1	Q Do you know where those drums came
2	A No.	2	from?
3	Q Sometimes it would be in the	3	A Well, I know the different like
4	morning, sometimes in the evening?	4	the McCall's ink. I know different factories
5	A Exactly. But Saturdays would be a	5	around there like Walther's.
6	pretty good time that I would spend more than any	6	Q Is that the same thing as Dayton
7	other.	7	Walther's?
8	Q But you never worked actually on the	8	A Yeah, right.
9	dump during that time period?	9	Q So Dayton Walther's sent drums of
10	A Not as a paid employee, no.	10	A Right.
11	Q After 1965 would you get paid by	11	Q material?
12	your uncles to do	12	A Right.
13	A Sure.	13	Q Do you know what was inside those
14	Q certain activities at the dump?	14	drums?
15	A Yes.	15	A Just slushy stuff. I couldn't tell
16	Q And what activities would they pay	16	you what exactly it is.
17	you to do?	17	Q How do you know they were from
18	A Sort metal, paint buildings, dig	18	Dayton Walther's?
19	ditches or I have to stop and think.	19	A 'Cause I seen the trucks. I know
20	Q Could you give me an estimate of how	20	them personally. I went to school with them, so I
21	much time during the week you would spend at the	21	know them personally.
22	dump say from 1965 to 1975?	22	Q Any other companies that sent drums
23	A Maybe hours at a time. Not days	23	there?
24	'cause I had a full-time job then.	24	A I can't give you the exact, no.
25	Q So you would just stop by for about	25	Q Do you recall a company called NCR?
	Page 78		Page 80
1	an hour a day?	1	A Oh, yeah, NCR.
2	A Mostly during the week.	2	Q Did they ever take waste to the
3	Q And then on the weekends it would be	3	South Dayton Dump?
4	more?	4	A It would be NCR I can't say.
5	A I probably worked more on the	5	Q What about Hobart Company?
6	weekends. See, it's not work to me. It's just	6	A Hobart.
7	it's like a family. You just go and help out	7	Q Did they ever take waste to the
8	whatever whatever you could do.	8	South Dayton Dump?
9	Q I guess what I'm asking you, Mike,	9	A That would be I can recall Hobart
10	is	10	bringing drums. That would be bringing drums of
11	A Mm-hmm.	11	five gallons, maybe 50-gallon drums of sludge or
12	Q how much time you were actually	12	that sort of material.
13	at the South Dayton Dump during this time frame	13	Q There was liquid in those drums?
14	from 1965 to say 1975?	14	A Yeah. Well, it would be a liquid
15	A I'm going to say pretty much a daily	15	yeah, right, whatever it would be. Something dark.
16	thing, but I might stop by for an hour or so or	16	Purple, blue or whatever it might be.
17	whatever.	17	Q How do you know they were from
18	Q So it's fair to say you were not	18	Hobart?
19	there all day?	19	A I seen the trucks come in.
20	A Oh, no. I couldn't. No.	20	Q Let me ask you a couple questions
21	Q I'm going to ask you some questions	21	about DP&L. First of all, can you describe for me
22	regarding some other waste streams. You mentioned	22	what a transformer looks like?
23	this morning that drums would come into the dump	23	A A transformer?
24	and you would cut the tops off; is that correct?	24	Q Yeah.
25	A Right.	25	A (Indicating). So big around.

	D 01		D 02
	Page 81		Page 83
1	Q You'll have to maybe give some	1	matter what it may be, his responsibility was to
2	specifications for the court reporter, dimensions.	2	tear 'em apart and get all the copper out of it.
3	A They're round, different sizes,	3	Q Did any of these transformers have
4	three foot tall. Have two protruding three or	4	any markings on them that you recall?
5	four protruding connectors come out of 'em.	5	A I wouldn't have looked at 'em that
6	Q Have you ever looked inside of a	6	close.
7	transformer?	7	Q But you don't recall any markings?
8	A Well, when we get 'em they would be	8	A No.
9	all actually look inside?	9	Q Do you recall any labels that said
10	Q Correct.	10	DP&L on those transformers?
11	A Did I ever pick one up and look	11	A Probably not 'cause when I'd see 'em
12	inside of it?	12	I wouldn't go up and look at 'em. I mean, I might
13	Q Yes.	13	see 'em there, but the after effect when they'd get
14	A No.	14	burned, you know, you couldn't see nothing anyway.
15	Q Do you recall seeing transformers at	15	So there was no reason for me to I wouldn't have
16	the South Dayton Dump?	16	ever looked at 'em close enough to see, I guess, if
17	A Yes.	17	they had markings on it.
18	Q And can you describe where you saw	18	Q Have you ever seen a transformer
19	those transformers?	19	actually dumped into the South Dayton Dump from a
20	A Anywhere on the dump wherever they	20	truck?
21	might be dumping at that particular time.	21	A I can't say I have actually falling
22	Q There was just transformers laying	22	out of the truck. I can't say I've seen 'em
23	in the dump?	23	falling out of a truck.
24	A Right.	24	Q And when you saw the transformers on
25	Q Were they the carcass of the	25	the South Dayton Dump, they had no markings?
	Page 82		Page 84
1	transformer or they had the insides with them?	1	A I didn't say they had no markings.
2	A Well, these would have the insides	2	I said I had no reason to look for a marking or
3	of 'em. And then I would probably go over and see	3	wouldn't be no reason.
4	'em after they got burnt and the carcass, if that's	4	Q Do you know if General Motors ever
5	what you want to call it.	5	took transformers to the South Dayton Dump?
6	Q So you would see them after they got	6	A I I couldn't say yes or no.
7	burnt?	7	Q You don't know?
8	A Yeah, but I would see them still	8	A No, I don't know. Not transformers,
9	laying there when I, you know, might come and visit	9	no.
10	or whatever.	10	Q You indicated previously that there
11	Q Did your Uncle Alcine have kind of a	11	were oils inside these transformers. Do you recall
12	side business to salvage the materials from inside	12	that?
13	the transformers?	13	A No, I never said that.
14	A What do you mean "side business"?	14	Q You never testified this morning
15	They did it on the dump there, so that wouldn't be	15	that there were oils inside the transformers?
16	a side business.	16	A No.
17	Q It was just part of the business of	17	Q You do not know whether there were
18	the dump?	18	oils in those transformers; is that correct?
19	A Right.	19	A No.
20	Q Can you describe that operation for	20	Q I mean, is that correct?
21	me, Alcine's scrapping of the transformers?	21	A That's correct. Right.
22	A It wouldn't be Alcine's. It would	22	Q You just know that they were
23	be Kenny.	23	transformers, the physical outside canister?
24	Q I'm sorry, Kenny.	24	A Exactly. Right.
25	A Yeah. Well, transformers or no	25	Q You don't know whether there was any

	Page 85		Page 87
1	oils inside them?	1	Q You indicated that you've been
2	A No.	2	deposed before?
3	Q You indicated previously that you	3	A Please?
4	used clinkers to surface or face your house?	4	Q You testified this morning that
5	A Mm-hmm.	5	you've sat for a deposition like this before; is
6	Q And that those clinkers came from	6	that correct?
7	the South Dayton Dump?	7	A Yes.
8	A Yes.	8	Q And why how many times have you
9	Q And you also testified, I believe,	9	been deposed?
10	that the clinkers came from DP&L?	10	A Twice.
11	A Yes.	11	Q And why were you deposed the first
12	Q And how do you know that they came	12	time?
13	from DP&L?	13	A Both of them was for divorces.
14	A Well, I seen 'em dump 'em there.	14	Q Okay. I need to ask you some
15	And then my uncle would call me and tell me, "You	15	questions, Mike, regarding your occasion to be
16	need some more clinkers? DP&L just dumped some."	16	here. When were you first contacted about the
17	Or when I ran out of 'em I went over to DP&L and	17	South Dayton Dump and this litigation?
18	tried to get some. They said, "No, we can't let	18	A Maybe two months ago or something
19	you have them."	19	like that.
20	Q You've seen DP&L dump clinkers	20	Q Who contacted you?
21	A Oh, yeah.	21	A Who contacted me?
22	Q at the South Dayton Dump?	22	Q (Nodding in the affirmative.)
23	A Definitely.	23	A My cousin Ed I think it was. Yeah,
24	Q You also testified that you believed	24	it had to have been my cousin Ed.
25	DP&L and Franklin Iron and Metal had keys to the	25	Q Did Ed tell you that someone's going
	Page 86		Page 88
1	gate?	1	to call you?
2	A Yes.	2	A Yeah.
3	Q And that DP&L would dump at night;	3	Q And then someone called you?
4	is that your testimony?	4	A Yes.
5	A After hours, yeah. They had keys to	5	Q And who was that?
6	come and go as they would please.	6	A Bill Walsh. Bill Walsh. I think
7	Q Did you ever see DP&L visit the site	7	that's his last name, Welch, Walsh, mm-hmm.
8	when the gate was locked, unlock the gate, go in	8	Q Did you meet with Mr. Walsh before
9	and dump and then leave?	9	this deposition?
10	A No, 'cause I was there's no	10	A Yes.
11	reason for me to be there after hours. No.	11	Q And when was that?
12	Q But you've never observed that; is	12	A In North Carolina.
13	that correct?	13	Q And when was that?
14	A I didn't observe it. No, I didn't	14	A Six weeks or so. Something like
15	observe it.	15	that. Right in there.
16	Q You did not observe it?	16	Q And what did you discuss with Mr.
17	A No. I did not see them, but I knew	17	Walsh?
18	that they had keys. I knew the two people that had	18	A Well, he just asked me what
19	keys.	19	knowledge that I had about the dump.
20 21	Q How do you know that they had keys?	20 21	Q Did he explain to you about this
22	A My uncle told me. But there are times that I could say early in the morning that I	21	lawsuit? A I knew about a lawsuit, you know,
23	would come there and there would be a truck already	23	from my cousin, you know, from a long time ago. I
24	there, so they had to come before it was open or	24	knew there was some type of litigation, but I
25	whatever you want to call it.	25	didn't actually know what it was.
2.7	whatever you want to can it.	20	uiun i actuany know what it was.

	Page 89		Page 91
-	_	_	_
1	Q Did you have any other conversations	1	tubes I'm referring to, insulators, clinkers.
2 3	with Mr. Walsh after he visited you in North Carolina?	2 3	Q Anything else?
4	A Yes.	4	A I'm going to say in my mind I see a black ash, powder or something or other. Like
5	Q And can you just describe all the	5	more like a powder. That's really what they
6	conversations you've had with Mr. Walsh?	6	dumped.
7	A A couple phone conversations, which	7	Q And you saw that from a DP&L truck?
8	was just about me being able to come here for this	8	A Yes. A lot of that, yes.
9	deposition. That's mostly what the other	9	Q So you've mentioned telephone poles,
10	conversation would mostly have been about.	10	brackets, this black stuff, clinkers.
11	Q Go ahead.	11	A Transformers.
12	A No, I don't I just said the first	12	Q Transformers. Okay. Let's talk
13	time he asked it was just general questions	13	about the transformers. How many times do you
14	about what I know, and most of it was to make sure	14	recall seeing a transformer coming in on a DP&L
15	I was going to be here.	15	truck?
16	Q Are you being paid to be here?	16	A I can't give you I can't tell you
17	A Paid?	17	how many times.
18	Q Paid.	18	Q More than once?
19	A No, no.	19	A Oh, definitely, yes.
20	Q Have you had any other conversations	20	Q But you've never seen the
21 22	with anyone else about the South Dayton Dump in the	21 22	transformer actually dumped into the A Out of the truck?
23	last two or three months besides Mr. Walsh and your cousin Ed?	23	A Out of the truck? Q Yes.
24	A Well, Mr. (indicating).	24	A I'm sure there could have been times
25	Q Is that Mr. Silver you're thinking	25	that I seen it. But can I tell you that I can't
	Page 90		Page 92
1 1	_	1	_
1 2	about? A Yeah, that was just yesterday.	1 2	tell you they dumped 'em there at what particular time. Through the whole period of time I've been
3	A Yeah, that was just yesterday. Yeah, just yesterday.	3	down there, sure, I've seen them.
4	Q You met with Mr. Silver yesterday?	4	Q You've seen the transformers?
5	A Yeah.	5	A Definitely. Now, can I tell you,
6	Q And what did you discuss with Mr.	6	yeah, I saw that transformer falling out of the
7	Silver?	7	truck? I can't tell you that. I might have got
8	A Just basically what what I knew.	8	there he could have been pulling out and they
9	You know, just went back to what could I recollect	9	might be there and I might have seen it at that
10	or who could I recollect was there. That's	10	particular time or I see them after they was
11	basically about it.	11	burned.
12	Q Did you visit the dump, the South	12	Q With respect to the telephone poles,
13	Dayton Dump	13	the brackets, that other material, how would they
14	A Yes.	14	from DP&L how would they come into the dump? In
15	Q with Mr. Silver yesterday?	15	what type of truck?
16	A Yes.	16	A Dump trucks. Or a lot of times they
17	Q Do you recall ever seeing DP&L	17	had the poles might be on like a long truck, you
18	actually dump materials at the South Dayton Dump?	18 19	know, just carry poles.
19 20	A Yes. Q And can you describe for me what you	20	MR. MERRILL: Can we go off the record? MR. SILVER: Five-minute break for Marty
21	Q And can you describe for me what you witnessed with respect to that DP&L dumping at the	21	and Vicki on the phone.
22	South Dayton Dump? What did they dump?	22	(Whereupon, a recess was taken.)
23	A Like I said before, telephone poles,	23	BY MR. MERRILL (Continuing):
24	parts of of the bracket parts, these long tubes.	24	Q Back on the record. We're back on
25	I mean, this could come in all at one truck. These	25	the record for those on the phone. I just have a

	Page 93		Page 95
1	couple more questions, Mr. Wendling.	1	Q Do you know what those round
2	Did you review any documents before this	2	cylinders are?
3	deposition related to the South Dayton Dump?	3	A I've seen 'em on poles. I couldn't
4	A No. I've never seen	4	tell you what they are. I've seen 'em on poles
5	Q You were not given any documents to	5	before. Some kind of a conductor or something or
6	review?	6	other. I can't exactly tell you what they are. I
7	A No. No.	7	can't tell you what they're called, no.
8	Q Do you know or do you recall whether	8	Q And it's your testimony that there's
9	General Motors ever took waste to the South Dayton	9	lead BB's inside those poles?
10	Dump?	10	A Well, that's what I've seen.
11	A General Motors?	11	Q And you saw those at the South
12	Q Correct.	12	Dayton Dump?
13	A Well, Delco at that time was part of	13	A Yes.
14	General Motors. So, as I said, the brake shoes and	14	Q Did you see these lead BB's in the
15	the drum things Delco or General Motors. So I	15	dump?
16	would have to say General Motors, I guess.	16	A Well, sure, at the dump. In the
17	Q Okay. Delco took waste to the South	17	piles of whatever might have been dumped out of
18	Dayton Dump?	18	that truck with all the other stuff.
19	A Yes.	19	Q How big are these BB's?
20	Q And you said	20	A Well, I said the size of a BB or
21	A Delco Products I think it was	21	something like that.
22	called, Delco brake plant. They didn't take 'em.	22	Q And would you would Kenny pick up
23	It was the third party or second party.	23	every one of these little BB's on the ground?
24	MR. HARBECK: I'm sorry. Could you just	24	A Exactly.
25	read that back? He trailed off.	25	Q Okay. Last couple of questions.
	Page 94		Page 96
1	(Whereupon, the answer was read back by	1	Mr. Wendling, are you on any medication?
2	the court reporter.)	2	A Yes.
3	BY MR. MERRILL (Continuing):	3	Q And what medication are you on?
4	Q Are you aware of any settlement with	4	A Celexia Celexa, mm-hmm.
5	U.S. EPA related to some of your family members and	5 6	Q Did you take that today?
6 7	the South Dayton Dump? A Settlement?	7	A Every morning.
8		8	Q You take it every morning? A Mm-hmm.
9	Q Yeah, payment of money to your family members?	9	
10	·	10	,
11	A To my recollection they took money, but they've never been paid no money.	11	A It was depression through a divorce. Q Have you been convicted of any
12	Q Can you describe again the process	12	crimes?
13	where Kenny would take I think you called them BB's	13	A No.
14	where Reiniy would take I think you cance them bbs	14	MR. MERRILL: I have no further
15	A Yeah.	15	questions, Mr. Wendling. Thank you.
16	Q and melt them down into lead	16	THE WITNESS: Thank you.
17	ingots?	17	MR. MOSS: I have no questions. I'll
18	A Right.	18	just arbitrarily go next.
19	Q Where did the BB's come from?	19	MR. HARBECK: I have some. If it's okay,
20	A These long tubes. These cylinders	20	I'll do it from here. I'll speak up, and you let
21	that I referred to.	21	me know if it's not working.
22	Q These are the round cylinders that	22	CROSS EXAMINATION
23	are similar to what's depicted in Exhibit 6?	23	BY MR. HARBECK:
24	A Similar, but very small. Similar,	24	Q Good morning, Mr. Wendling. My name
25	but very small.	25	is Bill Harbeck again, and I have some follow-up

	Page 97		Page 99
1	questions for you.	1	Q Can you mark on Exhibit 1 where the
2	A Mm-hmm.	2	Doyle's Auto Parts or salvaging business was
3	Q If you don't understand any of my	3	located?
4	questions, would you please let me know and I'll	4	A I think I already did.
5	rephrase it. Okay?	5	Q Did you? Oh, I'm sorry. You're
6	A Okay.	6	right. You did.
7	Q And, again, I'll try not to step on	7	So that's located in what's called the
8	your answers if you try not to step on my	8	northern parcel?
9	questions.	9	A Yeah.
10	A I'll do my best.	10	Q Okay. Was that business there when
11	Q Okay. I just want to clarify your	11	you first went to the dump in the early mid 1950s?
12	high school graduation date.	12	A No.
13	A Okay.	13	Q When did Doyle's start its business
14	Q How old were you when you graduated	14	there? And just give me an approximation if you
15	from high school?	15	can.
16	A Twenty.	16	A I would say somewhere around
17	Q Okay. So that's why when you were	17	somewhere around like '65, in that area.
18	born in 1945 you graduated in 1965?	18	Q Okay. Were they there when you were
19	A Right.	19	working part-time at the dump? You know, were they
20	Q And did you then work at Liberal	20	there before you graduated from high school as best
21 22	Supermarket part-time for about four years? I	21 22	you can recall?
23	thought you said two years before. How many years did you work part-time at	23	A I'm saying I think they came right at that period of time, which would be around '65,
24	A Four years.	24	'64.
25	Q Four years?	25	Q Okay.
	Page 98		Page 100
1	_	1	_
1	A Two weeks after I turned 16.	1 2	A Yeah.
2	Q Okay. A Sixteen to 20, four years.	3	Q And then what describe the business. What did Doyle's do?
3 4	Q Okay. Thank you.	4	A Well, took in salvage cars and
5	You mentioned an entity called Doyle's	5	parted 'em out.
6	auto salvaging.	6	Q And did what to them?
7	A Right.	7	A Parted the cars out, yeah.
8	Q What was the name of the business	8	Q How big was that operation? How
9	that you recall?	9	much space did it take up?
10	A I think it was Doyle's Auto Parts I	10	A It wasn't a big operation. Maybe
11	think it could have been. Doyle's Auto Parts is	11	three acres, four acres. Maybe somewhere around in
12	what I'm going to say.	12	there. It wasn't a real big operation.
13	Q And they were located on the	13	Q How long did Doyle's operate that
14	property at the South Dayton Dump. Did they have a	14	business there?
15	facility or building there?	15	A Probably up in the seventies, late
16	A Well, they're adjacent to the actual	16	seventies, somewhere around in there.
17	dump itself. It was up to the property the	17	Q So roughly you think around 15 years
18	property part of Cyril's property, but not per	18	or so?
19	se the dump.	19	A Maybe so. Around in there.
20	Q And, again, you're anticipating my	20	Q Did you ever see any part of that
21	questions and starting to answer it	21	operation in terms of the parting out what they did
22	A Okay. I'm sorry.	22	to part out these cars?
23	Q Just let me finish it. It's hard to	23	A Have I seen the parts?
24	do.	24	Q Yeah, yeah. Just describe it. You
25	A Okay.	25	know, a car would come in. What would they do with

	Page 101		Page 103
1	it?	1	A Yeah.
2	A Haul it to the back to the storage	2	Q Is this outdoors?
3	area. Haul it to the storage area.	3	A Yeah.
4	Q And is the storage area in that	4	Q So it's just on the ground?
5	circle?	5	A Yeah.
6	A Right in that area there, mm-hmm.	6	Q So if there were any leaking of
7	Q The area you marked on Exhibit 1?	7	fluids from any of these cars, it would just go
8	A Right.	8	right on the ground?
9	Q Okay. And then what would they do	9	A Well, I would assume.
10	to that car?	10	Q Do you know who Doyle is no
11	A Well, it would sit there until	11	longer there; correct?
12	somebody would come and took all the parts off of	12	A No, they're no longer there.
13	it, and then eventually a lot of cars got crushed	13	Q Do you know what happened to the
14	when they took all they could off of 'em. That's	14	owners of the Doyle's auto operation? Are they
15	about it.	15	still around?
16	Q Did they have a crushing	16	A No, they're dead and gone.
17	A Yeah. Right. I do remember	17	Q Okay. Have you ever heard of an
18	Q Well, let me finish.	18	operation called Ottoson Solvents?
19	A Oh, I'm sorry.	19	A Who?
20	Q Let me finish.	20	Q Ottoson Solvents?
21	A Okay.	21	A No.
22	Q They had crushing machinery or	22	Q Do you know whether or not an entity
23	equipment there?	23	called Ottoson Solvents had any kind of a facility
24	A Yes.	24	or business that's in that area shown on Exhibit 1,
25	Q So they would take the parts that	25	whether it's in the dumping area or next to it? Is
	Page 102		Page 104
1	were sellable and sell them for a while and the	1	that ringing any kind of bell?
2	cars would sit there, and then when they became	2	A No.
3	nothing else was worth anything they would then	3	Q Do you recall any kind of operation
4	crush them?	4	forget about the name that would reclaim
5	A Right.	5	solvents or liquids that might come in barrels and
6	Q Where would the crushed cars go?	6	try to reclaim those solvents or barrels or
7	A To another salvage place.	7	anything like that?
8	Q Off somewhere besides the South	8	A No.
9	Dayton Dump area?	9	Q What other types of businesses
10	A Right.	10	when you were there from, you know, eight, nine,
11	Q Did you ever see them take any of	11	ten up until you left, what other types of
12	the liquids from the car like any leftover	12	businesses were located on what's now marked as
13	gasoline, oil, lubricants, fluids from those cars?	13	Dryden Road?
14	Do you know what happened to that stuff when they	14	A Within this on his property?
15	brought it in to Doyle's?	15	Q Well, either on his property, in the
16	A No.	16	central parcel, in the northern parcel on Exhibit
17	Q You said it was a roughly three- to	17	1. Let's just take those two pieces to start off
18	four-acre operation?	18	with. What other businesses were there?
19	A What I can visualize three or four	19	A Well, on the northern parcel this
20	acres. I would say so.	20	one big building here you can see there was a
21	Q What would they use the three to	21	dealership which would be that would have to be
22	four acres for?	22	this building here.
23	A Well, that would be the storage of	23	Q What kind of dealership?
24	the automobiles.	24	A I'm thinking it was a Ford or
25	Q The cars would just sit there?	25	Chrysler, but I just can't really recall.

			1
	Page 105		Page 107
1	Q Car dealership?	1	A Well, it would have to be in this
2	A Oh, yeah. Right, right, right.	2	general area back here. (So complies.)
3	Q Okay. During what period of time	3	Q Do you remember the name of that
4	did they have a facility or a business there? Just	4	plant?
5	give me your best estimate if you can.	5	A No.
6	A It would have been it would have	6	Q Just put "asphalt plant" there.
7	to be in the sixties.	7	A (So complies.)
8	Q Starting in the sixties?	8	Q And how long was the Murphy
9	A Well, I can't say starting.	9	operation at this northern parcel as best you can
10	Q It was there in the sixties?	10	recall?
11	A Yeah.	11	A Well, it would have had to have been
12	Q How long did it have an operation	12	within the last three or four years.
13	there?	13	Q You mean it's been there the last
14	A I don't recall.	14	three or four years?
15	Q Okay. And you pointed to an area on	15	A No. I said since then. It's been
16	Exhibit 1. Can you just circle the area that was	16	back there it's been there since I was very
17 18	the car dealership?	17	little.
19	A Well, this is the line it was a	18 19	Q Okay. Since you were eight, nine, ten?
20	building right it would have to be this	20	
21	building. (Indicating) Q Okay.	21	A Yeah. Q Okay. It's been there ever since?
22	Q Okay. A It would have to be this building.	22	A Yeah.
23	Q Can you circle that building?	23	Q Okay. Until about three years ago
24	A (So complies.)	24	you said?
25	Q And can you write inside "car	25	A Yeah, they died.
	Page 106		Page 108
1	_	1	
1 2	dealership"? A (So complies.)	1 2	Q Any other business or operation, any kind of business that was in the northern parcel
3	Q Okay. Any other business that was	3	that you can remember during the time frame that
4	located in the northern parcel during the time that	4	you were visiting or working at or doing what you
5	you would go to the South Dayton Dump?	5	were doing at the South Dayton Dump?
6	A How far back do I go? All the way	6	A Well, businesses might have changed.
7	to the river?	7	Q Sure. I understand that. If one
8	Q Yeah.	8	changed, let me know. I'm just trying to figure
9	A Right here there was a salvage place	9	out what you can remember about
10	for toilets and sinks. It was called Murphy's	10	A This dealership here it changed, and
11	Plumbing. Then back here there was an asphalt	11	now it's a repair for big machinery.
12	plant. (Indicating)	12	Q Okay. Now it is. I want to go back
13	Q Okay. Can you just put a circle	13	to the time frame from, say, the early when you
14	around the	14	were eight, nine and ten up until the time where
15	A This?	15	you really didn't go back to the South Dayton Dump,
16	Q Well, I'll have you circle both of	16	which I think you said was 1970, '75.
17	them, but do the Murphy's first.	17	A Right.
18	A Well, that would be it had to be	18	Q That's the time frame that I'm
19	right here. (Indicating)	19	talking about. Any other businesses?
20	Q Okay. Can you write "Murphy's" in	20	A None in this part.
21	there?	21	Q Okay. What about in the central
22	A (So complies.) Mm-hmm.	22	parcel?
23	Q And then you said there was an	23	A Here? (Indicating)
24	asphalt plant further back. Can you just circle	24	Q Yes, the middle parcel here on
25	the general area where that was?	25	Exhibit 1.

	1		
	Page 109		Page 111
1	A You want me to name some of these?	1	A Well, can we call these buildings
2	Q Yeah, that were there during the	2	1, 2 and 3? This is building 1, 2 and 3, and
3	time frame when you were eight years or older. So	3	here's another one. However you want to do it.
4	until '70, '75.	4	Q Yeah, I want you to just circle
5	A Well, in this first building was	5	whatever building you think they operated out of.
6	Rankin and Howard Electronic Parts. Rankin and	6	A (So complies.) Right here.
7	Howard.	7	Q And what was the you said it was
8	Q Electronic parts?	8	Rankin?
9	A Right.	9	A No, no, Rankin Howard.
10	Q And you said in this first building	10	Q I'm sorry. Oh, Rankin Howard was
11		11	that the car
12	A It was in this building here.	12	A No, no, no, that was in my uncle's
13	(Indicating)	13	office.
14	Q And is that the building that	14	Q I'm sorry. What was the name of
15	A That was my uncle's office. They	15	this painting company?
16	had their office on the side.	16	A Ohio Paint or something is what I
17	Q Okay. Just so we're correct on the	17	can
18	record, that's in the same square you already put	18	Q Why don't you just put "painting
19	"uncle's office" in?	19	company" in that box.
20	A Right.	20	A (So complies.) Okay.
21	Q Okay.	21	Q Any other business in there?
22	A That was Rankin and Howard.	22	A The next one here would be a metal
23	Q And what was describe that	23	fabricator or whatever.
24	business.	24	Q Metal fabrication shop?
25	A It was parts for electronics, TV,	25	A Yeah.
	Page 110		Page 112
1	radios.	1	Q Like a machine shop?
2	Q They sold them?	2	A Yeah.
3	A Parts. They were just a parts	3	Q What was the name of that business,
4	supplier.	4	if you can remember?
5	Q Any other business that you can	5	A I can't remember.
6	recall?	6	Q And, again, were they there from the
7	A Down here there's a painting	7	time you were eight, nine or ten
8	company, Ohio Painting or it was a big painting	8	A Yeah.
9	contractor.	9	Q up until 1970 or '75?
10	Q Okay. Describe when you say	10	A I would say so, yes.
11	"painting contractor," what did they do?	11	Q Okay.
12	A Well, commercial painting.	12	A Yeah, mm-hmm.
13	Q Of other buildings?	13	Q Circle or put a square around that
14	A Yes.	14	operation.
15	Q Did they mix paints there or	15	A Right here. (So complies.) Okay.
16	formulate paints as far as you know?	16	Q And what did you write in there?
17	A I can't say that.	17	A Metal fabrication.
18	Q Okay. And what period of time did	18	Q Metal fab?
19	they operate that painting business?	19	A Mm-hmm.
20	A Well, it was in my early sixties, in	20	Q Okay. Describe as best you can what
21	that sixty period.	21	how they went about their metal fabrication
22	Q 1960s?	22	business.
23	A Yeah.	23	A They would just make whatever, big
24	Q Okay. Can you just put a circle	24	cylinders or anything to do with metal.
25	around where that business was on Exhibit 1?	25	Q Okay. Did you ever go inside?

	Page 113		Page 115
	_		_
1	A I've been in it.	1	A Yeah, that would be right in here,
2	Q Did they have do you know what	2	right in that area here. (Indicating)
3	business or industry they were making the metal	3	Q Can you write "skid" in there?
4	parts for?	4	A (So complies.)
5	A Oh, no.	5	Q Do you remember the name of that
6	Q Did you do you know if they had	6	company?
7	like a degreasing operation where they would take	7	A I think they called it like Skid Row
8	the metal parts that had been machined and clean	8	or something like that. I can't give you an exact
9	them off in any sort of degreaser vat or pit?	9	name.
10	A No.	10	Q Did you ever see broken up skids or
11	Q You don't remember?	11	pieces of skids or actual skids that had been
12	A No.	12 13	dumped back in the South Dayton Dump?
13 14	Q And you don't remember the name of	14	A No.
15	this entity; is that right? A No. Maybe it's still here, but I	15	Q Do you know whether or not this skid
16	don't know.	16	company ever took any of its waste, be it old skids, pieces of broken skids, and disposed of them
17	Q Do you know whether or not any of	17	in the South Dayton Dump?
18	these businesses that we've talked about so far	18	A No.
19	whether or not they took any of their waste and put	19	Q Do you know whether or not any of
20	it into the South Dayton Dump?	20	those skids were ever burned in the incinerator of
21	A I can't say, no. I never seen it.	21	the dump?
22	Q Any other business or entity other	22	A The incinerator's probably closed
23	than what we've talked about so far?	23	down.
24	A Well, back at that time down here	24	Q Okay. Is that it in terms of
25	just a little ways further here there was a house	25	businesses that you can recall?
	Page 114		Page 116
1	there. That's where Broadway Sand and Gravel	1	A That's about it.
2	originated.	2	Q Okay. Thank you. I want to go back
3	Q Like a house or an office?	3	to your discussion about Dayton Walther being one
4	A It was like an old house.	4	of the customers whose waste you saw dumped at the
5	Q Okay. And just put a square box.	5	dump. How often would you see a Dayton Walther
6	A That would be about where that	6	truck at the dump?
7	where they yeah.	7	A I couldn't give you a number of
8	Q Why don't you just put BSS	8	times, but they was very frequent. Frequently.
9	Broadway BSG.	9	Q Okay. And did you see them there
10	A (So complies.)	10	frequently from right around when you were eight,
11	Q Yeah, in that box.	11	nine or ten years old until you no longer went to
12	A Okay.	12	the dump?
13 14	Q Any other business or operation?	13	A Probably a little late years after.
14 15	A I think down here on the tail end there was a skid company.	14 15	You know, probably from ten up to maybe well, it
16	Q Okay.	16	might have been later than that. Maybe when I was like around 15 or so.
17	A They just refurbished skids.	17	Q You think starting right around when
18	Q Okay. Same time frame? They were	18	you were 15?
19	there the same time frame as these other	19	A Yeah.
20	businesses?	20	Q Which would have been 1960?
21	A No, they came in the later years.	21	A Right in there.
22	They probably came in the late seventies, early	22	Q Until were they a frequent
23	eighties, around in there.	23	customer from about that point forward?
24	Q Okay. Can you just put a box and	24	A Yes.
25	write in "skid"?	25	Q Until you no longer went back to the

	Page 117		Page 119
1	dump?	1	silly question, but
2	A Right.	2	A Well, you see this big thing go up,
3	Q And tell me about the types of	3	the drums fall out, the thing goes back down,
4	trucks that Dayton Walther brought into the South	4	they're gone.
5	Dayton Dump to dispose of waste.	5	Q Okay. So they dumped the entire
6	A They had those about the same	6	drum at the site?
7	type of trucks that Franklin Iron and Metal had,	7	A Oh, yeah. Definitely.
8	the big box type of trucks.	8	Q And when this happened did you see
9	Q And what type of I know you	9	liquids coming out of the drums into the ground?
10	described you said that was one of the companies	10	A Yes.
11	that brought in drum waste?	11	Q Okay. That's the liquid that you
12	A Yes.	12	described, I think, as sludgy stuff?
13	Q And what type of truck did the drum	13	A Sludgy stuff.
14	waste come in?	14	Q Okay. Do you know whether or not
15	A That big box type of truck.	15	Walther's had a key to the South Dayton Dump?
16	Q How many drums would typically fit	16	A I don't. No, they didn't.
17	on that type of truck?	17	Q Would you say based upon your
18	MR. SILVER: Objection.	18	experience that Dayton Walther was one of the major
19	BY MR. HARBECK (Continuing):	19	customers of the dump?
20	Q Go ahead. You can answer.	20	MR. SILVER: Objection, leading.
21	A Well, a whole lot could fit, but	21	THE WITNESS: Were they one of the
22	they would carry so many because of spilling out	22	majors?
23	during transport. I mean, it would probably hold,	23	BY MR. HARBECK (Continuing):
24	I don't know, 20 barrels or so, but you would never	24	Q Yes.
25	see that many.	25	A To my knowledge?
	Page 118		Page 120
1	Q How many would you typically see	1	Q Yes.
2	when you saw those trucks at the South Dayton Dump?	2	À No.
3	A Three, four, five, you know,	3	Q How would you describe them in terms
4	somewhere around in there.	4	of, you know, where they fit in the scheme of
5	Q And you said if there were too many	5	things?
6	drums on there it would spill out. Describe that	6	MR. SILVER: Objection. You can answer.
7	for me. What do you mean by that? Explain that.	7	THE WITNESS: Huh?
8	A Well, a lot of these drums weren't	8	MR. SILVER: You can answer.
9	what you call were not enclosed, you know,	9	THE WITNESS: From 10 on down, maybe in
10	completely sealed. So it could just fly out	10	the 6, somewhere in that neighborhood, 10 being the
11	hitting a bump in the road or something. So that's	11	most.
12	why I'm sure they only hauled a very very few of	12	BY MR. HARBECK (Continuing):
13	'em out.	13	Q 10 being the most?
14	Q Where generally was the describe	14	A Yeah.
15	what happened to the drums once they were brought	15	Q So they were maybe six down from
16	in by the Dayton Walther truck.	16	that?
17	A They would just be dumped in	17	A Yeah. They could be in the middle.
18	wherever you know, wherever particular areas	18	In the top 10.
19 20	they was working at. Q Who did that?	19 20	Q Okay. The way you described it,
21		21	they would be roughly in the top 5?
21		21	A Yeah, I went backward. Top 5.
23	Q Who did the dumping? A Well, the trucker, the driver.	23	Q Any other type of waste that Walther's brought in besides the drum waste that
23 24	Q Describe what you saw when you saw	23	you just talked about?
25	these drums dumped out. I know it sounds like a	25	A Well, I can recall burnt like a cast
20	mose drams damped but. I know it sounds like a		11 Wen, I can recan outlit like a cast

iron or well, it would be like a cast iron. It would be like a steel something like cast iron. Q What kind of containers would the steel or cast iron be brought in? A They would be in these same type of dump trucks? A They would be in these same type of dump trucks? A They would be in these same type of dump trucks? A Yeah. Q Would it just be loose or would it be a Yeah, loose. Q Okay. A They didn't carry a whole lot in the drump trucks with this metal or cast iron being dumped out, can you just describe that for me? A Same way. The truck stops, the box goes up. he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q O Any you would see these metal parts fall into the dump? A That I can recall. Q O Any youn would see these metal parts from Dayton Walther? Just give me your best of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've describeed? A No. Q And now I want to talk a little bit about Abordan Valley and the world was of the purply type liquid? A Yes. Q Okay. Would it be like a Q Okay won on those trucks? THE WITNESS: I can't just give you a number. I can't say if the truck's full, half full. Lean't say. BY MR. HARBECK (Continuing): A Probably 16, 20 foot the back of the trucks. Q Okay. The back of the trucks where the trucks. A Probably 16, 20 foot the back of the trucks. Q Okay. The back of the trucks where the drums would be placed? A Right. Q Okay. And describe for me what you saw when you saw these drums sealed or fully enclosed? A Those drums the trucks the trucks full, half full trucks. A Probably 16, 20 foot		1		
would be like a steel something like east iron. Q What kind of containers would the steel or cast iron be brought in? A They would be in these same type of dump trucks I'm talking about. Q Same type of dump trucks? A Yeah. Q Would it just be loose or would it be		Page 121		Page 123
Second continue of the continue of the second continue of the continue of th	1			THE WITNESS: I can't just give you a
steel or cast iron be brought in? A They would it just be loose or would it be				
A They would be in these same type of dump trucks making about 6				
d dump trucks 'm talking about. 7				
7				
trucks A Yeah, loose. A Yeah, loose. A Yeah, loose. A Yeah, loose. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A They didn't carry a whole lot in these containers. A When you saw those drums being dumped out at the South Dayton Dump. A Well, these drums were to my recollection was more like pushed out of the back of the truck. A Well, these drums were to my recollection was more like pushed out of the back of the truck. A That I can recall. A That I can recall. A That I can recall. A I the could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week revery couple days or so. A No. A Yesh. A				
9 Q Would it just be loose or would it 10 be				
the drums would be placed? A Yeah, loose. Q Okay. A They didn't carry a whole lot in this metal or cast iron being dumped out, can you just whose crotrainers. A Same way. The truck stops, the box goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q And yother types of waste that you observed coming in from Dayton Walther besides what you't described boart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Okay. And describe for me what you saw when you saw those drums were to my recollection was more like pushed out of the back of the truck. A Well, these drums were to my recollection was more like pushed out of the back of the truck. Q Okay. And were these drums sealed or fully enclosed? A These drums were more sealed. It wasn't like I would say they was sealed, yeah. Q And how did you see the purple liquid that you described before? How would you see that? A When we'd dump'em we opened up the estates what you observed coming in from Dayton Walther besides what you'd escribed? A No. Q And own type of thing. A No. Q And now I want to talk a little bit though of the purply type liquid? A Yes. Q Typically how many drums did you see Truck, a covered van type of thing. A Well, these drums were to my recollection was more like a covered truck, a Could was also bringing in five-gallon drums and 50-gallon drums. A No, they wouldn't be all the way full drums. They was just partial drums. A Well, the South Board. A No, they wouldn't be all the way full drums. They was just partial drums. A Well, the South Board. A No, they wouldn't be all the way full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could h				
11 A Yeah, loose. Q Okay. A They didn't carry a whole lot in these containers. Q When you saw the dump trucks with this metal or cast iron being dumped out, can you this metal or cast iron being dumped out, can you you describe that for me? R A Same way. The truck stops, the box goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q How frequently would you see those types of trucks come in with that type of waste types of trucks come in with that type of waste that you dosserved coming in from Dayton Walther? Just give me your best A It could be once a week type of thing. A No, they wouldn't be all the way full. These drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Those were more like a covered truck, a covered van type of thing. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q Wand about the five-gallon drums? Could you handle those? A Reah. Q Ware these drums were more like a covered truck, a covered van type of thing. A Well, these drums were in my recollection was more like pushed out of the back of the truck. A Theat I can reall. Q And how did you see the purple liquid that you described before? How would you see the purple liquid that you described before? How would you see the purple wash that you described before? How would you see the furth you described how a way the furth of the truck. A I could have been one of 'ten, sure. Q And how law and to talk a little bit about how they wash and led them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the				
Q Okay. A They didn't carry a whole lot in the containers. Q When you saw the dump trucks with this metal or cast iron being dumped out, can you just describe that for me? A Same way. The truck stops, the box goog up, he dumps it, it starts falling. Q And you would see these metal parts all into the dump? Q And you would see these metal parts at type of trucks come in with that type of waste type of truck seem in with that type of waste aday, but it was maybe once a week type of days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Tokay Could you handle those. Q Okay. Would it be like a				
A They didn't carry a whole lot in these containers. Q When you saw the dump trucks with this metal or cast iron being dumped out, can you just describe that for me? A Same way. The truck stops, the box goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q How frequently would you see those types of trucks come in with that type of waste day, but it was maybe once a week type of days or so. Q And yother types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also or fairly with the suffice was full drums. A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. A Well, these drums were to my recollection was more like a punch of the back of the truck. Q Okay. And were these drums sealed or fully enclosed? A These drums were more sealed. It wasn't likeI would say they was sealed, yeah. Q And how did you see the purple liquid that you described before? How would you see that? A When we'd dump'em we opened up the wasn't likeI would say they was sealed, yeah. Q Okay. So you would physically yourself be one of the people that would open up these drums? A Could have been one of 'em, sure. A Well, itse ould have been one of 'em, sure. A I could have been one of 'em, sure. A Well, itse ould have been half. You know, we couldn't have handled them if they was full drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. A Well, itse ould be one of the pack of the truck. A When we'd dump'em we opened up the 'em that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A No, they wouldn't be all the way full. These would be partial drums. A Well, itse ould have been half. You know, we couldn't have handled them if they was full drums. A				
these containers. Q When you saw the dump trucks with this metal or cast iron being dumped out, can you just describe that for me? A Same way. The truck stops, the box goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q How frequently would you see those from Dayton Walther? Just give me your best from Dayton Walther? Just give me your best Page 122 estimate. A I could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q And youther types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Well, it could have been nalf. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q Okay. Would it be like a — A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a — A Box van or something. Q Okay. Would it be like a — A Yeah. Q Typically how many drums did you see 15 He South Ďayton Dump. A Well, these drums were —to my recollection was more like pushed out of the back of Q Okay. And were these drums sealed. It wasn't like —I would say they was sealed. It wasn't like —I would say they was sealed, yeah. Q And how did you see the purple liquid that you described before? How would you see the purple liquid that you described before? How would you see the spurple liquid that you described before? How would you see the spurple liquid that you described before? How would you see the spurple liquid that you described before? How would you see the purple liquid that you described before? How would you see the spurple liquid that you described before? How would open up these drums? A Vene we'd dump'en we opened up the liquid that you described before? A No, they wouldn't be all the would op				
15 Q When you saw the dump trucks with this metal or east iron being dumped out, can you 17 just describe that for me? A Same way. The truck stops, the box 28 goes up, he dumps it, it starts falling. Q And you would see these metal parts 29 fall into the dump? A That I can recall. Q How frequently would you see those 24 types of trucks come in with that type of waste 25 from Dayton Walther? Just give me your best 26 from Dayton Walther? Just give me your best 27 hing. I don't think it was no two or three loads 34 a day, but it was maybe once a week type of 43 or observed coming in from Dayton Walther besides what 39 you've described? Q And now I want to talk a little bit 30 dark purply type liquid? A Yes. Q Tell me the type of truck that waste 29 came in on. A Those were more like a covered 20 coming in on those trucks? A Well, these drums were to my recollection was more like pushed out of the back of the truck. Q And were these drums sealed or fully enclosed? A These drums were more sealed. It wasn't like1 would say they was sealed, yeah. Q And how did you see the purple 20 liquid that you described before? How would you see that? A When we'd dump 'em we opened up the 20 'em that's what 20 Q Okay. So you would physically yourself be one of the people that would open up these drums? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste 20 Could you handle those? A I could have been half. You know, we couldn't have handled them if they was full. These would be partial drums. Q What about the five-gallon drums? A Well, it could have been home of 'em, sure. Q So when you say "partial," how much 11 drums. They was stap partial drums. Q What about the five-gallon drums? A Gould wou handle those. Q Were those trums had some liquid in them?				
this metal or cast iron being dumped out, can you just describe that for me? A Same way. The truck stops, the box goes up, he dumps it, it starts falling. O And you would see these metal parts fall into the dump? A That I can recall. O How frequently would you see those type of truck some in with that type of waste from Dayton Walther? Just give me your best Page 122 estimate. A It could be once a week type of thing. O Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. O And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums of dark purply type liquid? A Yes. O Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. O Cokay. And were these drums sealed or fully enclosed? A Theat I can recall. O And how did you see the purple liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? O O O O O And how did you see the purple liquid that you described before? How would you see that? A When we'd dump 'em we opened up the liquid that you described before? How would you see that? O O O O O O O O O O O O O O O O O O O				
17 just describe that for me? 18 A Same way. The truck stops, the box 19 goes up, he dumps it, it starts falling. 20 Q And you would see these metal parts 21 fall into the dump? 22 A That I can recall. 23 Q How frequently would you see those 24 types of trucks come in with that type of waste 25 from Dayton Walther? Just give me your best 26 from Dayton Walther? Just give me your best 27 days or so. 28 Q And once a week type of 39 thing. I don't think it was no two or three loads 40 a day, but it was maybe once a week or every couple 50 days or so. 61 Q And other types of waste that you 62 observed coming in from Dayton Walther besides what 63 you've described? 63 Q And now I want to talk a little bit 64 about Hobart. You described Hobart as also 65 Q And now I want to talk a little bit 66 D C Alm of think it was not to alk a little bit 77 observed coming in from Dayton Walther besides what 78 you've described? 79 A No. 70 Q And now I want to talk a little bit 70 about Hobart. You described Hobart as also 71 about Hobart. You described Hobart as also 72 of dark purply type liquid? 73 of the truck. 74 A These drums were more sealed. It 75 wasn't like I would say they was sealed, yeah. 75 Q And how did you see these purple 76 liquid that you described before? How would you see that? 75 A When we'd dump 'em we opened up the 76 em that's what 20 days. So you would physically yourself be one of the people that would open up these drums? 78 A No, they wouldn't be all the way 79 A No, they wouldn't be all the way 79 A No, they wouldn't be all the way 79 A No, they wouldn't be all the way 79 A No, they wouldn't have handled them if they was full. These would be partial, "how much 79 Could wum. They was just partial drums. 80 Q Typically how many drums did you see 81 To Robert days or on the eloads 82 A Box van or something. 83 Q Were those typically full? 84 A Yeah. 95 Q But regardless of whether they were 86 Could handle those. 96 Q Typically how many drums did you see				
A Same way. The truck stops, the box goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q How frequently would you see those types of trucks come in with that type of waste from Dayton Walther? Just give me your best Page 122 estimate. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q And you ther types of waste that you observed coming in from Dayton Walther besides what you've described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A These were more like a covered truck, a covered van type of thing. A Those were more like a covered truck, a covered van type of thing. A Roan. Q Okay. And were these drums sealed or fully enclosed? A These drums were more sealed. It wasn't like — I would say they was sealed, yeah. Q And how did you see the purple liquid that you described before? How would you see that? A When we'd dump 'em we opened up the 'em thaf's what — Q Okay. So you would physically yourself be one of the people that would open up these drums? A No, they wouldn't be all the way full. These would be partial drums. A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a — Q Okay. Would it be like a — Q Okay. No, they wouldn't be all the way full. These would be partial drums. Q What about the five-gallon drums? Could you handle those. A I could have been one of 'em, sure. Q So when you say "partial," how much bear truck, a covered van type of thing. A Those were more like a covered truck, a covered van type of thing. A So would the partial drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A Could have been half. You what have been half. You what have been half. You what have been half. Yo				
goes up, he dumps it, it starts falling. Q And you would see these metal parts fall into the dump? A That I can recall. Q How frequently would you see those types of trucks come in with that type of waste from Dayton Walther? Just give me your best Page 122 A It could be once a week type of thing. A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Tould me the type of truck that waste came in on. A Tould have been more like a covered truck, a covered van type of thing. Q Cokay. Would it be like a - A Tould how did you see the purple liquid that you described before? How would you see that? A When we'd dump 'em we opened up the 'em that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. A No, they wouldn't be all the way full. These would be partial drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A Well, it could have been half. You whould prove these drums? Could you handle those? A Wen we'l dump 'em we opened up the 'em that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much 'em that's what A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
A A That I can recall. 20		goes up he dumps it it starts falling		
21 fall into the dump? 22 A That I can recall. 23 Q How frequently would you see those types of trucks come in with that type of waste from Dayton Walther? Just give me your best 24 restimate. 25 Think I could be once a week type of strucks or observed coming in from Dayton Walther besides what you've described? 3 do Any other types of waste that you observed coming in from Dayton Walther besides what you've described? 4 A No. 5 Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? 4 A Yes. 5 Q Tell me the type of truck that waste came in on. 6 Q Cokay. Would it be like a 7 A Those were more like a covered truck, a covered van type of thing. 6 Q Okay. Now you would physically yourself be one of the people that would open up these drums? 6 A I could have been one of 'em, sure. 7 Q And were these drums typically full of liquid? 9 A No, they wouldn't be all the way full. These would be partial drums. 10 Q So when you say "partial," how much that pumply type liquid? 11 A Yes. 12 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. 13 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. 15 Q Okay. Would it be like a 16 Q What about the five-gallon drums? 16 Q Box van. Okay. 17 A Box van or something. 18 A I could handle those. 19 Q Okay. No, they wouldn't be all the way full drums. 19 Q Okay. So you would physically yourself be one of the people that would open up these drums? 19 A No, they wouldn't be all the way full of liquid? 20 A Yesh. 21 A Could have been one of 'em, sure. 22 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. 24 Could handle those? 25 A I could handle those. 26 Q Box van. Okay. 27 A Box van or something. 28 Q Typically how many drums did you see				
A That I can recall. Q How frequently would you see those types of trucks come in with that type of waste to from Dayton Walther? Just give me your best Page 122 testimate. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. A Box van or something. Q Box van. Okay. A Yeah. Q Box van. Okay. Q Typically how many drums did you see Page 122 A When we'd dump'em we opened up the 'eim that's what A When we'd dump'em we opened up the 'eim that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. Q And were these drums typically full of liquid? A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
Q How frequently would you see those types of trucks come in with that type of waste from Dayton Walther? Just give me your best Page 122 estimate. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. A Roy and No. Q Box van. Okay. A Yeah. Q Box van. Okay. A Yeah. Q Typically how many drums did you see char? A When we'd dump 'em we opened up the me the stuff come out. Before we burned 'em that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. Q And were these drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
types of trucks come in with that type of waste from Dayton Walther? Just give me your best Page 122 estimate. A It could be once a week type of aday, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Clay Would it be like a Q Okay. So you would physically yourself be one of the people that would open up these drums? A No, they wouldn't be all the way full. These would be partial drums. A Well, it could have been one of 'em, sure. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A Those were more like a covered truck, a covered van type of thing. A Those were more like a covered truck, a covered van type of thing. A Box van or something. A Box van or something. A Yesh. Q Box van. Okay. A Yesh. Q Typically how many drums did you see coming in on those trucks? A Yesh. Q But regardless of whether they were full or not, all of these drums had some liquid in them?	23		23	
Page 122 estimate. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. O Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. O Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. O Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. A Box van or something. O Q Box van. Okay. A Yeah. O Typically how many drums did you see coming in on those trucks? Page 124 thing and let the stuff come out. Before we burned 'em that's what (m that's what (a M I could have been one of 'ten, sure. A I could have been one of 'en, sure. A I could have been one of 'en, sure. A Well, it could have been one of 'en, sure. A Well, it could have been one of 'en, sure. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A Well, it could have been one of 'en, sure. A Well, it could have been one of 'en, sure. A Well, it could have been one of 'en, sure. A Well, it could have been one of 'en, sure. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. A Well, it could have been one of 'en, sure. A Well, it could have been half. You know, we c	24		24	
estimate. A It could be once a week type of thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit abringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. So you would physically yourself be one of the people that would open up these drums? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much bringing in five-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a A Box van or something. Q Day Would it be like a Q Typically how many drums did you see of the people that would open up these drums? A Hould have been one of 'em, sure. A No, they wouldn't be all the way full. These would be partial drums. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Could you handle those. A I could handle those. A I could have been one of 'em, sure. A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?	25	from Dayton Walther? Just give me your best	25	A When we'd dump 'em we opened up the
thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a A Box van or something. Q Typically how many drums did you see coming in on those trucks? A I could have been one of 'tem, sure. Q And were these drums typically full of liquid? A I could have been one of 'em, sure. Q And were these drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?		Page 122		Page 124
thing. I don't think it was no two or three loads a day, but it was maybe once a week or every couple days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. A Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see coming in on those trucks? 'em that's what Q Okay. So you would physically yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. Q And were these drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much a Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those: Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?	1	estimate.	1	thing and let the stuff come out. Before we burned
4 a day, but it was maybe once a week or every couple 5 days or so. 6 Q Any other types of waste that you 7 observed coming in from Dayton Walther besides what 8 you've described? 9 A No. 10 Q And now I want to talk a little bit 10 about Hobart. You described Hobart as also 11 about Hobart. You described Hobart as also 12 bringing in five-gallon drums and 50-gallon drums 13 of dark purply type liquid? 14 A Yes. 15 Q Tell me the type of truck that waste 16 came in on. 17 A Those were more like a covered 18 truck, a covered van type of thing. 19 Q Okay. Would it be like a 19 Q Okay. Would it be like a 20 A Box van or something. 21 Q Box van. Okay. 22 A Yeah. 23 Q Typically how many drums did you see 24 coming in on those trucks? 24 yourself be one of the people that would open up these drums? A I could have been one of 'em, sure. A I could have been one of 'em, sure. A I could have been one of 'em, sure. A No, they wouldn't be all the way full. These would be partial drums. 10 Q So when you say "partial," how much 11 A Well, it could have been half. You 12 know, we couldn't have handled them if they was 13 full drums. They was just partial drums. 14 Q What about the five-gallon drums? 15 Could you handle those? 16 Could you handle those. 19 Q Were those typically full? 20 A Some, some not. Maybe 50-50, you 21 Q Box van. Okay. 22 Q But regardless of whether they were 23 full or not, all of these drums had some liquid in 24 them?	2	A It could be once a week type of	2	
days or so. Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q And were these drums typically full of liquid? A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could have been one of 'em, sure. Q And were these drums typically full A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Okay. Would it be like a Q Okay. Would it be li	3		3	
Q Any other types of waste that you observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Okay. Okay. Q Typically how many drums did you see Q Typically how many drums did you see Q Typically how many drums did you see Could wand were these drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much 12 13 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were Q But regardless of whether they were full or not, all of these drums had some liquid in them?		a day, but it was maybe once a week or every couple		yourself be one of the people that would open up
observed coming in from Dayton Walther besides what you've described? A No. Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Box van. Okay. Q And were these drums typically full of liquid? A No, they wouldn't be all the way full. These would be partial drums. Q So when you say "partial," how much A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Could you handle those? Could you handle those. Q Were those typically full? A Box van or something. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
8 you've described? 9 A No. 10 Q And now I want to talk a little bit 11 about Hobart. You described Hobart as also 12 bringing in five-gallon drums and 50-gallon drums 13 of dark purply type liquid? 14 A Yes. 15 Q Tell me the type of truck that waste 16 came in on. 17 A Those were more like a covered 18 truck, a covered van type of thing. 19 Q Okay. Would it be like a 19 Q Okay. Would it be like a 20 A Box van or something. 21 Q Box van. Okay. 22 A Yeah. 23 Q Typically how many drums did you see 24 coming in on those trucks? 28 of liquid? 9 A No, they wouldn't be all the way 10 full. These would be partial drums. 11 Q So when you say "partial," how much 12 13 A Well, it could have been half. You 14 know, we couldn't have handled them if they was 15 full drums. They was just partial drums. 16 Q What about the five-gallon drums? 17 Could you handle those? 18 A I could handle those. 19 Q Were those typically full? 20 A Some, some not. Maybe 50-50, you 21 know. 22 Q But regardless of whether they were 23 full or not, all of these drums had some liquid in 24 them?				
9 A No. 10 Q And now I want to talk a little bit 11 about Hobart. You described Hobart as also 12 bringing in five-gallon drums and 50-gallon drums 13 of dark purply type liquid? 14 A Yes. 15 Q Tell me the type of truck that waste 16 came in on. 17 A Those were more like a covered 18 truck, a covered van type of thing. 19 Q Okay. Would it be like a 20 A Box van or something. 20 A Yeah. 21 Q Box van. Okay. 22 A Yeah. 24 coming in on those trucks? 29 A No, they wouldn't be all the way 20 full. These would be partial drums. 20 G When you say "partial," how much 21 D So when you say "partial," how much 22 23 G Well, it could have been half. You 24 Know, we couldn't have handled them if they was 25 full drums. They was just partial drums. 26 Could you handle those? 27 Could you handle those? 28 A I could handle those. 29 Q Were those typically full? 20 A Some, some not. Maybe 50-50, you 21 know. 22 Q But regardless of whether they were 23 full or not, all of these drums had some liquid in 24 them?				
Q And now I want to talk a little bit about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Okay. Would it be like a Q Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see Q Typically how many drums did you see 24 coming in on those trucks? 10 full. These would be partial drums. Q So when you say "partial," how much 12 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. 16 Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were 23 full or not, all of these drums had some liquid in them?		•		•
about Hobart. You described Hobart as also bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Okay. Would it be like a Q Box van or something. Q Box van. Okay. A Yeah. Q So when you say "partial," how much 12 13 A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were Q Typically how many drums did you see G Typically how many drums did you see Coming in on those trucks? A Well, it could have been half. You know, we couldn't have handled them if they was full drums. They was just partial drums. A I could handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were G Typically how many drums did you see C Typically how many drums did you see				
bringing in five-gallon drums and 50-gallon drums of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Okay. Would it be like a Q Box van. Okay. A Yeah. Q Typically how many drums did you see Q Typically how many drums did you see Could you handle those. A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full drums. They was just partial drums. Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
of dark purply type liquid? A Yes. Q Tell me the type of truck that waste came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a A Box van or something. Q Box van. Okay. A Yeah. Q Tell me the type of truck that waste 15 full drums. They was just partial drums. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were G Ull or not, all of these drums had some liquid in them?				Q So when you say "partial," how much
A Yes. Q Tell me the type of truck that waste 15				A W-11 4 - 131 - 1 - 1 10 W
Q Tell me the type of truck that waste 16 came in on. A Those were more like a covered 17 truck, a covered van type of thing. Q What about the five-gallon drums? Could you handle those? A I could handle those. Q Were those typically full? A Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see Q Typically how many drums did you see Could you handle those. A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were full or not, all of these drums had some liquid in them?				*
came in on. A Those were more like a covered truck, a covered van type of thing. Q Okay. Would it be like a Q Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were G Typically how many drums did you see Could you handle those? A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. C But regardless of whether they were G Typically how many drums did you see C Hull or not, all of these drums had some liquid in C them?				
17 Could you handle those? 18 truck, a covered van type of thing. 19 Q Okay. Would it be like a 20 A Box van or something. 21 Q Box van. Okay. 22 A Yeah. 23 Q Typically how many drums did you see 24 coming in on those trucks? 17 Could you handle those? 18 A I could handle those. 19 Q Were those typically full? 20 A Some, some not. Maybe 50-50, you 21 know. 22 Q But regardless of whether they were 23 full or not, all of these drums had some liquid in 24 them?				
truck, a covered van type of thing. Q Okay. Would it be like a A Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see Coming in on those trucks? 18 A I could handle those. Q Were those typically full? A Some, some not. Maybe 50-50, you know. Q But regardless of whether they were G But regardless of whether they were C G But regardless of whether they were				
19Q Okay. Would it be like a19Q Were those typically full?20A Box van or something.20A Some, some not. Maybe 50-50, you21Q Box van. Okay.21know.22A Yeah.22Q But regardless of whether they were23Q Typically how many drums did you see23full or not, all of these drums had some liquid in24coming in on those trucks?24them?				
A Box van or something. Q Box van. Okay. A Yeah. Q Typically how many drums did you see coming in on those trucks? A Box van or something. A Some, some not. Maybe 50-50, you coming in ont. Maybe 50-50, you coming in o				
21 Q Box van. Okay. 22 A Yeah. 23 Q Typically how many drums did you see 24 coming in on those trucks? 21 know. 22 Q But regardless of whether they were 23 full or not, all of these drums had some liquid in 24 them?		* •		
A Yeah. Q Typically how many drums did you see Coming in on those trucks? Q But regardless of whether they were full or not, all of these drums had some liquid in them?				
Q Typically how many drums did you see 23 full or not, all of these drums had some liquid in 24 coming in on those trucks? 24 them?				
24 coming in on those trucks? 24 them?				

1				7
2 purplish color, or did this pasty stuff have a different color to it? 4 A Red - I mean not red. Purple. 5 Purples, dark colors, blues. Blue-purple and the mud, black sluggish mud color. I mean, you could tell it was a used material whatever it was. 8 Q Did it have any kind of smell? 9 A I can't detect a smell. It's all dumps amell pretty much. I cannot detect it. 10 Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of can you recall any type of aroma at all that these had when you dumped em out? 14 A Stink. 16 Q Sink? 17 A Yeah. 18 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 20 And the same would be true for the 22 Q And the same would be true for the 23 Dayton Waither drums in terms of the smell? 21 A Yes. 22 Q And how frequently would you see the Page 126 1 Hobart drums come in on the Hobart trucks? 2 A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. 3 A Starting from I going up. 4 Q Okay. And I may have asked you this. In terms of the ime frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 4 A Yes. 4 Yes. 5 Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 5 A Yesh, I would asy five years, you was lead off the record. 5 C Did in the Hobart name. 5 Q So they until at least you graduated from high school? 6 NCR for a second. 7 A Mmhmm. 7 A Yeah. 9 Q Okay. That was going to be my next questions from at all that the five from the safe you ever saw any NCR trucks at any time come into the South Dayton Dump to further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump to follower. 18 A Yes. 19 A Yes. 10 A Yesh. 11 A Yesh would you see the Pa		Page 125		Page 127
2 purplish color, or did this pasty stuff have a 3 different color to it? 4 A Red - I mean not red. Purple. 5 Purples, dark colors, blues. Blue-purple and the mud, black sluggish mud color. I mean, you could tell it was a used material whatever it was. 8 Q Did it have any kind of smell? 9 A I can't detect a smell. It's all dumps mell pretty much. I cannot detect it. 11 Q So, well, but did it have like sort 1 of a pungent smell, acrid, oily, acidic? Any kind of can you recall any type of aroma at all that these had when you dumped em out? 15 A Stink. 16 Q Sinik? 17 A Yeah. 18 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 20 And the same would be true for the 22 Q And the same would be true for the 32 Dayton Walther drauns in terms of the smell? 21 A Yea. 22 Q And the same would be true for the 23 Dayton Walther drauns in terms of the smell? 23 A Yea. 24 A Yes. 25 Q To Yo To To Jo J? I'm sorry. I'm not sure which way you're counting back. 26 A Starting from I going up. 27 Q To Yo To Yo Jo J? I'm sorry. I'm not sure which way you're counting back. 28 A Yes. 29 A Starting from I going up. 29 Q Lo Je being the most? 30 Q Nay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 30 A Yes. 31 REDIRECT EXAMINATION 32 BYMR. SILVER: 32 A Yes. 33 know, prior to blast would be something that I could say I seen the Hobart name. 34 A Yes. 35 Day until at least you graduated from high school? 36 NCR for a second. 36 NCR for a second. 37 A Mm-hmm. 39 C You though long and hard and said you can't recall them Have you thought any further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump further about whether or not you ever saw any NCR trucks at any time come into the South NC	1	O And were they always the same	1	you can recall?
different color to it? A Red I mean not red. Purple. Purples, dark colors, blues. Blue-purple and the mud, black sluggish mud color. I mean, you could it lit was a used material whatever it was. Q Did it have any kind of smell? A Lean't detect a smell. It's ali to dump smell pretty much. I cannot detect it. Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of a pungent smell, acrid, oily, acidic?	2		2	
4 RedI mean not red. Purple. 5 Purples, dark colors, blues. Blue-purple and the mud, black sluggish mud color. I mean, you could tell it was a used material whatever it was. 6 Q Did it have any kind of smell? 9 A I can't detect a smell. It's all dumps mell pretty much. I cannot detect it. 10 Q So, well, but did it have like sort of - can you recall any type of aroma at all that these had when you dumped 'em out? 11 Q O So, well, but did it have like sort of - can you recall any type of aroma at all that these had when you dumped 'em out? 12 A Yeah. 13 Q O Kay. That was going to be my next question. I was going to say I assume they didn't smell good? 14 A No. 15 Q And the same would be true for the payton Walther drums in terms of the smell? 16 A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. 17 A Yeah. 18 Q O Kay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 18 A Yeah. 29 Q Okay. And I may have asked you trime or ten years old? 20 Q Okay. And then up until 1970 or time. 21 Q Okay. For how long can you recall them again roughly if you want to use your high served them again roughly if you want to use your high them again roughly if you want to use your high served them again roughly if you want to use your high served as a marker? Were they still them again roughly if you want to use your high served as an amarker? Were they still them again roughly if you want to use your high served as an amarker? Were they still them again roughly if you want to use your high served as a marker? Were they still them again roughly if you want to use your high served as a marker? Were they still them again roughly if you want to use your high served as a marker? Were they still the s	3		3	
5 Purples, dark colors, blues. Blue-purple and the mud, black sluggish mud color. I mean, you could reli it was a used material whatever it was. 9 A leant detected a smell. It's all dump smell pretty much. I cannot detect it. 10 Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of a car you recall any type of aroma at all that these had when you dumped 'em out?' 15 A Stink. 16 Q Stink? 17 A Yeah. 18 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 21 A No. 22 Q And the same would be true for the guestion. I was going to say I assume they didn't smell good? 22 A Yes. 23 Dayton Walther drums in terms of the smell? 24 A Yes. 25 Q And how frequently would you see the have to put them up like a 7 or something like that as far as frequency. 3 A Exacily. 4 A Yeah. 5 Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. 5 Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. 6 G Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 4 A Yeah. 2 Q Okay. And then up until 1970 or time. 2 Q Okay. For how long can you recall them spain roughly if you want to use your high them again roughly if you want to use your high them again roughly if you want to use your high them again roughly if you want to use your high them again roughly if you want to use your high them again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your high schem again roughly if you want to use your h	4	A Red I mean not red. Purple.	4	
tell it was a used material whatever it was. Q Did it have any kind of smell? A I can't detect a smell. It's all dump smell pretty much. I cannot detect it. Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of can you recall any type of aroma at all that these had when you dumped 'em out?' A Stink. C Q Stink? A Stink. C Q Stink? A Yeah. Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? A No. Daylor Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Dayton Walther drums in terms of the smell? A Yes. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q C Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart trunks? A Yesh. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart trunks? A Yesh. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart trunks? A Yesh. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart trunks? A Yesh. Q Okay. And then I just want to go back to NCR for a second. A Mm-hamm. Q You thought long and hard and said you can't recall them. Have you thought any further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump to dispose of waste? A I can't recall. Hem. Have you thought any further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump to dispose of waste? A I can't recall them. Have you thought any further about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump to dispose of waste? A I can't recall them. Have you though trucks at any time come into the South Dayton Dump	5		5	
tell it was a used material whatever it was. Q Did it have any kind of smell? A I can't detect a smell. It's all dump smell pretty much. I cannot detect it. O So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of a can you recall these had when you dumped 'em out? these had when you dumped 'em out? A Stink. O Sink? A Yeah. O C and then I just want to go back to NCR for a second. A Mm-hmm. O You thought long and hard and said you can't recall them. Have you thought any Inter about whether or not you ever saw any NCR trucks at any time come into the South Dayton Dump to dispose of waste? A Yeah. O And then I just want to go back to NCR for a second. A Mm-hmm. A Mm-hmm. A Mm-therm may vou court recall them. Have you thought any trucks at any time come into the South Dayton Dump to dispose of waste? A I can't recall. He questions I have. MR. HARBECK: Okay. Thank you. That's all the questions I have. MR. VAN KLEY: I have no questions. MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. O Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. O Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. O O So they were number 7 roughly? A Yeah. O Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years and? A Yeah. O Okay. And may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums and the sum to a couple of follow-up questions for you, Mike, if you	6		6	
A Can't detect a smell. It's all dump smell pretty much. I cannot detect it. Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of a pungent smell, acrid, oily, acidic? Any kind these had when you dumped 'em out? A Stink. Q Stink? A Stink. O Okay. That was going to be my next question. I was going to say I assume they didn't smell good? A No. Q And the same would be true for the payton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Fage 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. A Starting from I going up. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Exactly. Q So they were number 7 roughly? A Exactly. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. For how long can you recall them. A Yes. Q Okay. For how long can you recall them. A Yes. Q Okay. For how long can you recall them. A Yes. Q Okay. For how long can you recall them. A Yes. Q Okay. For how long can you recall them. A Yes. Q What names? A Yes. Q And did they have a mame on the box trucks? A I would be box trucks. Q What names?	7		7	
dump smell pretty much. I cannot detect it. Q So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of — can you recall any type of aroma at all that these had when you dumped 'em out? 14 these had when you dumped 'em out? 15 these had when you dumped 'em out? 16 Q Stink? 16 Q Stink? 16 Q Okay. That was going to be my next 17 question. I was going to say I assume they didn't 18 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they didn't 19 question. I was going to say I assume they don't 19 question. I was going to say I assume they don't 19 question. I was going to say I assume they don't 19 question. I was going to say I assume they don't 19 question. I was going to say I assume they don't 19 question. I was going to say I assume they on the dumpt. 19 questions I have. 19 questions I	8	Q Did it have any kind of smell?	8	Q And then I just want to go back to
O So, well, but did it have like sort of a pungent smell, acrid, oily, acidic? Any kind of a pungent smell, acrid, oily, acidic? Any kind of a can you recall any type of aroma at all that these had when you dumped 'em out? A Stink	9	A I can't detect a smell. It's all	9	NCR for a second.
of a pungent smell, acrid, oily, acidic? Any kind of can you recall any type of aroma at all that these had when you dumped 'em out? these had when you dumped 'em out? A Stink. Q Stink? A Yeah. Q Okay. That was going to be my next smell good? A No. Q And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. A Starting from 1 going up. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from 1 going up. Q So they were number 7 roughly? A Yes. Q Okay. And I may have asked you thin. I terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yes. Q Okay. For how long can you recall them. Have you thought any fittrither about whether or not you cever saw any NCR trucks at any time come into the South Dayton Dump to dispose of waste? A I can't recall. MR. HARBECK: Okay. Thank you. That's all the questions I have. MR. VAN KLEY: I have no questions. MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 REDIRECT EXAMINATION BY MS. SILVER: Q Mike, I wanted to ask you about a company called Shervin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q Okay. And I may have asked you thin the period of time. Q Okay. And then up until 1970 or A Yes. Q Okay. And then up until 1970 or A Yes. Q Okay. For how long can you recall them at all them. Have you thought any fitures at all trucks at any time come into the South MR. Have you thought at you can't recall them. I as a far any trecal	10	dump smell pretty much. I cannot detect it.	10	A Mm-hmm.
of can you recall any type of aroma at all that these had when you dumped 'em out? A Stink. C Stink? A Yeah. O Okay. That was going to be my next question. I was going to say I assume they didn't smell good? A No. Q And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. A Starting from I going up. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q So they were number 7 roughly? A Yesh. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you this. In terms of the time frame, during what time. A Yeah. Q Okay. And then up until 1970 or A I can't recall. MR. HARBECK: Okay. Thank you. That's all the questions I have. MR. VAN KILEY: I have no questions. MR. SILVER: I do want to do acouple of follow-up questions for you, Mike, if you have a moment. Whereupon, the court recard. A Yes	11	Q So, well, but did it have like sort	11	Q You thought long and hard and said
these had when you dumped 'em out? A Stink. O Stink? A Yeah. O Okay. That was going to be my next question. I was going to say I assume they didn't smell good? A No. O And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. O And how frequently would you see the Dayton Walther drums come in on the Hobart trucks? Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. O Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. O So they were number 7 roughly? A Exactly. O Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A I can't recall. MR. HARBECK: Okay. Thank you. That's all the questions I have. MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 BY MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 BY MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 BY MR. SILVER: Q Mike, I wanted to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A I know they dumped paint on the dump? A Yes. Q South Dayton Dump? A Yes. Q And how do you know thow that? A Yes. Q And how do you know that? A Yes. Q And how do you know that? A Yes. Q And how do you know that were used to dump the Sherwin Williams paint? A I thought the feature paper and	12	of a pungent smell, acrid, oily, acidic? Any kind	12	you can't recall them. Have you thought any
15 A Stink. 16 Q Stink? 17 A Yeah. 18 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 21 A No. 22 Q And the same would be true for the Dayton Walther drums in terms of the smell? 23 Dayton Walther drums in terms of the smell? 24 A Yes. 25 Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? 2 A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. 5 Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. 7 A Starting from I going up. 8 Q I being the most? 9 A Exactly. 10 Q So they were number 7 roughly? 11 A Yeah. 12 Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums, would that have been when you were eight, nine or ten years old? 18 Q Okay. And then up until 1970 or were eight, nine or ten years old? 20 Q And how for puently if you want to use your high school graduation as a marker? Were they still 21 time. 22 Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still 25 Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still 25 Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still 26 Vand how frequently would you see the ment of the minute of the public	13	of can you recall any type of aroma at all that	13	further about whether or not you ever saw any NCR
16 Q Stink? 17 A Yeah. 20 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 21 A No. 22 Q And the same would be true for the Dayton Walther drums in terms of the smell? 23 D A Yes. 24 A Yes. 25 Q And how frequently would you see the Dayton Walther drums in terms of the smell? 26 A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. 26 Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. 27 A Starting from 1 going up. 28 Q I being the most? 29 A Exactly. 20 Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 28 A I can't recall. MR. HARBECK: Okay. Thank you. That's all the questions I have. 39 A Wh. SILVER: I dowant to do a couple of follow-up questions for you, Mike, if you have a moment. 30 (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) 31 Page 128 32 BY MR. SILVER: I dowant to do a couple of follow-up questions for you, Mike, if you have a moment. 32 (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) 4 REDIRECT EXAMINATION 4 Page 128 4 REDIRECT EXAMINATION 5 Sherwin Williams. Is that a name that's familiar to you? 4 A Yes. 4 Ves. 6 Q What do you know about the Sherwin Williams Company in general? 4 A Yes. 6 Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? 4 A Yes. 6 Q Okay. And then up until 1970 or 18 Q Okay. And then up until 1970 or 1975? 6 A I can't recall 'em in that late of 190 days want to use your high school graduation as a marker? Were they still 24 Q What names?	14	these had when you dumped 'em out?	14	trucks at any time come into the South Dayton Dump
A Yeah. Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? A No. Q And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. A Starting from I going up. A Starting from I going up. A Exactly. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums; Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A I can't recall 'em in that late of time. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still A Yes. Q Okay and then up until 1970 or top 37 or top 30 can you recall them again roughly if you want to use your high school graduation as a marker? Were they still A Yes. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still A Yes. A Har ARBECK: Okay. Thank you. That's all the questions I have. all the questions I have. All them again roughly if you want to be myne to didn't. A Yes. A MR. NAN KLEY: I have no questions. MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 REDIRECT EXAMINATION BY MR. HARBECK: Okay. Thank you. That's all the questions I have. Q Mike, I wanted to ask you earlier and I forgot to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q They dumped paint on the dump. A Yes. Q And how do you know that? A Yes. Q And how do you know that? A Yes. Q And did they vere used	15	A Stink.	15	to dispose of waste?
18 Q Okay. That was going to be my next question. I was going to say I assume they didn't smell good? 20	16	Q Stink?	16	A I can't recall.
question. I was going to say I assume they didn't smell good? A No. Q And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A I can't recall 'em in that late of time. Q Okay. For how long can you recall them again roughly if you want to use your high selool graduation as a marker? Were they still of the smell? A No. MR. VAN KLEY: I have no questions. MR. SILVER: I do want to do a couple of follow-up questions for you, Mike, if you have a moment. (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 126 Page 126 Page 126 Page 128 REDIRECT EXAMINATION BY MR. SILVER: Q Mike, I was held off the record.) BY MR. SILVER: 1 REDIRECT EXAMINATION BY MR. SILVER: 2 Q Mike, I wanted to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q They dumped paint on the dump? A Yes. Q And how do you know that? A Yes. Q Did you what kind of vehicles Were used to dump the Sherwin Williams paint? A I would be box trucks. Q And did they have names on the box trucks? A Yes. Q And did they have names on the box trucks? A Yes. Q What names?	17	A Yeah.	17	MR. HARBECK: Okay. Thank you. That's
smell good? A No. Q And the same would be true for the Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q I being the most? A Starting from I going up. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time from edid you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yes. Q Okay. And then up until 1970 or A Yes. Q Okay. For how long can you recall them again roughly if you want to use your high selool of graduation as a marker? Were they still A Yes. Q What names? A Yes. Q And how frequently would you see the Hobart trucks? Page 128 REDIRECT EXAMINATION BY MR. SILVER: A REDIRECT EXAMINATION BY MR. SILVER: A Yes. Q Mike, I wanted to ask you earlier and I forgot to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q South Dayton Dump? A Yes. Q South Dayton Dump? A Yes. Q Did you what kind of vehicles Were used to dump the Sherwin Williams paint? A Yes. Q And did they have names on the box trucks. Q And did they have names on the box trucks. A Yes. Q And did they have names on the box trucks. Q And did they have names on the box trucks. Q And did they have names on the box trucks? A Yes. Q What names?	18	Q Okay. That was going to be my next	18	
21				
Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from 1 going up. Q I being the most? A Exactly. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or A I can't recall 'em in that late of time. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still Mereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) REDIRECT EXAMINATION BY MR. SILVER: Q Mike, I wanted to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q South Dayton Dump? A Yes. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A Yes. Q And did they have names on the box trucks? A Yes. Q And did they have names on the box trucks? A Yes. Q And did they have names on the box trucks? Q And did they have names on the box trucks? A Yes. Q What names?				
Dayton Walther drums in terms of the smell? A Yes. Q And how frequently would you see the Page 126 Page 126 Hobart drums come in on the Hobart trucks? A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. A Starting from I going up. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or A I can't recall 'em in that late of time. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still (Whereupon, the court reporter interrupted to change paper and a brief discussion was held off the record.) Page 128 REDIRECT EXAMINATION BY MR. SILVER: A REDIRECT EXAMINATION BY MR. SILVER: A Yes. Q Mike, I wanted to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A I know they dumped paint on the dump? A Yes. Q South Dayton Dump? A Yes. Q And how do you know that? A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. A It would be box trucks. A It would be box trucks. A Yes. Q And did they have names on the box trucks? A Yes. A Ye				
24				
Page 126 Page 126 Page 128 Hobart drums come in on the Hobart trucks? 1 REDIRECT EXAMINATION 2 A They wasn't real frequently, so we 2 have to put them up like a 7 or something like that as far as frequency. Q Top 7 or top 3? I'm sorry. I'm not sure which way you're counting back. 6 What do you know about a company called Sherwin Williams. Is that a name that's familiar to you? 7 A Starting from I going up. 7 A Starting from I going up. 7 A Yes. 9 What do you know about the Sherwin Williams Company in general? 11 A Yeah. 12 Q Okay. And I may have asked you 12 Q They dumped paint on the dump. 13 A Yes. Q South Dayton Dump? 15 A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or 18 Q Did you what kind of vehicles Were eight, nine or ten years old? 19 Y5? 19 Y5? 19 Y5? 20 A I can't recall 'em in that late of 20 A I knowled be box trucks. 21 Tucks? 22 A Yes. 23 A Yes. 24 What names? 25 Was held off the record.) Page 128 Page				
Page 126 Hobart drums come in on the Hobart trucks?				
Hobart drums come in on the Hobart trucks?	25	Q And how frequently would you see the	25	was held off the record.)
A They wasn't real frequently, so we have to put them up like a 7 or something like that as far as frequency. A Start from 1 going up. A Starting from 1 going up. A Starting from 1 going up. A Starting from 1 going up. A Exactly. O Q So they were number 7 roughly? A Yeah. O Q Okay. And I may have asked you a It is. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. O Q Okay. And then up until 1970 or A I can't recall 'em in that late of the magain roughly if you want to use your high school graduation as a marker? Were they still BY MR. SILVER: O Mike, I wanted to ask you acroling and I forgot to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. O What do you know about the Sherwin Williams Company in general? A I know they dumped paint on the dump? A Yes. O They dumped paint on the dump? A Yes. O South Dayton Dump? A Yes. O Did you what kind of vehicles Were used to dump the Sherwin Williams paint? A It would be box trucks. O And did they have names on the box trucks? A Yes. O And did they have names on the box trucks? A Yes.		Page 126		Page 128
A starting from 1 going up. A Starting from 1 going up. A Exactly. Q Okay. And I may have asked you and time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, Q Okay. And then up until 1970 or the metalt ime. Q Okay. For how long can you recall them again roughly if you want to use your high target. A I would be box trucks. Q Okay. For how long can you recall them again roughly if you want to use your high target. A Yes. Q Mike, I wanted to ask you earlier and I forgot to ask you about a company called Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams Company in general? A Yes. Q What do you know they dumped paint on the dump. A I know they dumped paint on the dump? A Yes. Q South Dayton Dump? A Yes. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A Yes. A It would be box trucks. Q And did they have names on the box trucks? A Yes. Q What names?	1	Hobart drums come in on the Hobart trucks?	1	REDIRECT EXAMINATION
4 as far as frequency. 5 Q Top 7 or top 3? I'm sorry. I'm not 6 sure which way you're counting back. 7 A Starting from I going up. 8 Q I being the most? 9 A Exactly. 10 Q So they were number 7 roughly? 11 A Yeah. 12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 25 Sherwin Williams. Is that a name that's familiar to you? 7 A Yes. 9 What do you know about the Sherwin Williams. Company in general? 10 Williams Company in general? 10 A I know they dumped paint on the dump? 11 dump. 12 Q They dumped paint on the dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 '75? 19 were used to dump the Sherwin Williams paint? 20 A I twould be box trucks. 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 24 Q What names?	2	A They wasn't real frequently, so we	2	BY MR. SILVER:
Sherwin Williams. Is that a name that's familiar to you? A Starting from 1 going up. A Starting from 1 going up. B Q 1 being the most? A Exactly. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you Ithis. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you If a Yeah, mostly in that period of time. Q Okay. And then up until 1970 or A I can't recall 'em in that late of Q Okay. For how long can you recall A Yes. Sherwin Williams. Is that a name that's familiar to you? A Yes. Q What do you know about the Sherwin Williams. Company in general? A I know they dumped paint on the dump. A Yes. Q They dumped paint on the dump? A Yes. Q South Dayton Dump? A Yes. Q And how do you know that? A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box trucks? A Yes. A Yes. Q What names?	3	have to put them up like a 7 or something like that	3	Q Mike, I wanted to ask you earlier
6 sure which way you're counting back. 7 A Starting from I going up. 8 Q I being the most? 9 A Exactly. 10 Q So they were number 7 roughly? 11 A Yeah. 12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 to you? 7 A Yes. Q What do you know about the Sherwin dump. 10 A I know they dumped paint on the dump? 11 A Yes. 12 Q South Dayton Dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 trucks? 22 trucks? 23 them again roughly if you want to use your high 24 School graduation as a marker? Were they still 24 Q What names?	4			
A Starting from I going up. Q I being the most? A Exactly. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you Kere eight, nine or ten years old? A Yeah, mostly in that period of time. A Yeah, mostly in that period of time. A I can't recall 'em in that late of Q Okay. For how long can you recall A Yes. A Cause I seen it and used it. A I would be box trucks. A It would be box trucks. A It would be box trucks. A Yes. A Yes. A Yes. A Yes. A Yes. A I would be box trucks. A Yes.	5			Sherwin Williams. Is that a name that's familiar
Q I being the most? A Exactly. Q So they were number 7 roughly? A Yeah. Q Okay. And I may have asked you this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or A I can't recall 'em in that late of time. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still B Q What do you know about the Sherwin Williams Company in general? A I know they dumped paint on the dump? A Ves. Q They dumped paint on the dump? A Yes. Q South Dayton Dump? A Yes. Q And how do you know that? A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box A Yes. Q What names?	6			to you?
9 A Exactly. 10 Q So they were number 7 roughly? 11 A Yeah. 12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q They dumped paint on the dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q And did they have names on the box 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 24 Williams Company in general? 20 A I know they dumped paint on the dump? 20 A Yes. 21 Q Obaup. 22 A Yes. 23 A Yes. 24 School graduation as a marker? Were they still 24 Williams Company in general? 26 A I know they dumped paint on the dump. 27 A Yes. 28 A Yes. 29 And how do you know that? 20 A 'Cause I seen it and used it. 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 A Yes. 24 Q What names?	7			li de la companya de
10 Q So they were number 7 roughly? 11 A Yeah. 12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 20 Wand I may have asked you 12 Q They dumped paint on the dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 Urucks? 22 Trucks? 23 A Yes. 24 Q What names?	8			
11 A Yeah. 12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q They dumped paint on the dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 24 What names?				
12 Q Okay. And I may have asked you 13 this. In terms of the time frame, during what time 14 frame did you see the Hobart drums? Trucks coming 15 in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q They dumped paint on the dump? 13 A Yes. 14 Q South Dayton Dump? 15 A Yes. 16 Q And how do you know that? 17 A 'Cause I seen it and used it. 18 Q Did you what kind of vehicles 19 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 26 Q What names?				· · · · · · · · · · · · · · · · · · ·
this. In terms of the time frame, during what time frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or B Q Okay. And then up until 1970 or A I can't recall 'em in that late of C Q Okay. For how long can you recall C Q Okay. For how long can you recall C Q Okay. For how long can you recall C Q Okay. School graduation as a marker? Were they still A Yes. A Yes. A Yes. A Yes. A 'Cause I seen it and used it. Q Did you what kind of vehicles Were used to dump the Sherwin Williams paint? A It would be box trucks. A It would be box trucks. A Yes. A Yes. A Yes. A Yes. A Wes. A Wes. A Yes. A Yes. A Yes. A Yes. A Yes.				
frame did you see the Hobart drums? Trucks coming in with these drums, would that have been when you were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or A I can't recall 'em in that late of Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still Q South Dayton Dump? A Yes. Q And how do you know that? A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box trucks? A Yes. Q What names?				
in with these drums, would that have been when you 16 were eight, nine or ten years old? 17 A Yeah, mostly in that period of time. 18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 20 Okay. For how long can you recall 21 them again roughly if you want to use your high 23 school graduation as a marker? Were they still 15 A Yes. 16 Q And how do you know that? A 'Cause I seen it and used it. Q Did you what kind of vehicles 19 were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box 24 trucks? 25 A Yes. Q What names?				No.
were eight, nine or ten years old? A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or '75? A I can't recall 'em in that late of Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box trucks? A Yes. Q What names?				
A Yeah, mostly in that period of time. Q Okay. And then up until 1970 or 19 '75? A I can't recall 'em in that late of Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still A 'Cause I seen it and used it. Q Did you what kind of vehicles were used to dump the Sherwin Williams paint? A It would be box trucks. Q And did they have names on the box trucks? A Yes. Q What names?				
18 Q Okay. And then up until 1970 or 19 '75? 20 A I can't recall 'em in that late of 21 time. 20 Q Okay. For how long can you recall 21 them again roughly if you want to use your high 22 school graduation as a marker? Were they still 21 Q Did you what kind of vehicles 22 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 A Yes. 24 Q What names?				
19 '75? 20 A I can't recall 'em in that late of 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 29 were used to dump the Sherwin Williams paint? 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 A Yes. 24 Q What names?				B C C C C C C C C C C C C C C C C C C C
20 A I can't recall 'em in that late of 21 time. 22 Q Okay. For how long can you recall 23 them again roughly if you want to use your high 24 school graduation as a marker? Were they still 20 A It would be box trucks. 21 Q And did they have names on the box 22 trucks? 23 A Yes. 24 Q What names?				
time. Q Okay. For how long can you recall them again roughly if you want to use your high school graduation as a marker? Were they still Q And did they have names on the box 22 trucks? 23 A Yes. 24 Q What names?				
Q Okay. For how long can you recall 22 trucks? them again roughly if you want to use your high 23 A Yes. school graduation as a marker? Were they still 24 Q What names?				
them again roughly if you want to use your high 23 A Yes. 24 school graduation as a marker? Were they still 24 Q What names?				
24 school graduation as a marker? Were they still 24 Q What names?				
L 25 there when you graduated from high school as far as L 25 A Sherwin Williams	25	there when you graduated from high school as far as	25	A Sherwin Williams.

	Page 129		Page 131
1	Q And you used their paint you said?	1	quarts.
2	A Yes.	2	Q Anything larger?
3	Q How did you use it?	3	A I can't recall any big drums. I
4	A Well, the one recollection was I	4	would say mostly gallons and five gallons.
5	painted our basement.	5	Q Now, one last question, Mike. You
6	Q You painted your basement?	6	did some rankings of companies that were on a scale
7	A Well, it my dad's, but, yeah, with a	7	of 1 to 10, with 1 being the most companies coming
8	brush.	8	who delivered waste to the site, frequent users
9	Q When was this?	9	of the site in response to Mr. Harbeck's questions.
10	A Oh, gosh! This is I was very	10	Do you recall that?
11	young. Nine, ten. Well, I had to be around ten.	11	A You got to sort of
12	No, let's see. Eight and nine, in that years.	12	Q Let me elaborate a little. Mr.
13	Q So you remember taking partially	13	Harbeck asked you questions about some of the
14	full paint cans from the dump?	14	companies.
15	A Me taking them, no. My parents did.	15	A Some of them, right.
16	Q And brought them back to their	16	Q And he wanted to know where they
17	house?	17	fell on a scale of frequent use of the site between
18	A Right.	18	1 and 10, with 1 being the most.
19	Q And had you paint the basement?	19	A Right.
20	A Well, me and the whole clan.	20	Q Do you remember answering some
21	Q What color?	21	questions about that?
22	A It was what I'm recalling, it was	22	A Some of the questions, right.
23	a purple color.	23	Q And your scale had 1 being the most
24	Q Now, do you have an idea with what	24	frequent
25	sort of frequency Sherwin Williams delivered its	25	A Right.
,00000000000000000000000000000000000000	Page 130		Page 132
1	paint waste to South Dayton Dump?	1	Q and going down from there?
2	A Well, they was a company like	2	A Right.
3	whenever they would get just an overload of	3	Q Where would you put DP&L on that
4	returned paint or mixed colors. So, you know, it	4	scale?
5	could have been once a month or it could have been	5	A 1.
6	every two, three months. So it wasn't like	6	MR. SILVER: I have no further questions.
7	frequent, but it was just whenever they had a	7	MR. MERRILL: No further questions.
8	Q And were they a customer of the dump	8	MR. MOSS: Nothing further.
9	throughout the sixties to your knowledge?	9	MR. HARBECK: Nothing further.
10	A Yes.	10	MR. SILVER: None on the phone as well,
11	Q And also even prior to that to your	11	Marty and Vicky?
12	knowledge?	12	MR. LEWIS: No. Done.
13	A Before?	13	MS. WRIGHT: I'm done.
14	Q Yeah.	14	(The taking of the deposition concluded
15	A Well, like I say, I could tell you	15	at 12:26 o'clock p.m.)
16	when I was very little.	16	1 /
17	Q And what came in their truck?	17	
18	A Paint.	18	
19	Q Anything but paint?	19	
20	A Could have been it could have	20	
21	been varnish. I can't tell you. Varnishes,	21	
22	lacquers, but paint products.	22	
23	Q Did anything come in drums on the	23	
24	Sherwin Williams truck?	24	
25	A It was mostly gallons, five gallons,	25	

	Page 133		Page 135
1	I, MICHAEL A. WENDLING, do hereby certify	1	STATE OF OHIO)
2	that the foregoing is a true and accurate) SS: C-E-R-T-I-F-I-C-A-T-E
3	transcript of my testimony.	2	COUNTY OF MIAMI)
4		3 4	I, SUSAN L. BICKERT, a Certified Shorthand Reporter and Notary Public in and for the
5		5	State of Ohio at large, duly commissioned and
6		6	qualified,
7		7	DO HEREBY CERTIFY that the above-named
8	MICHAEL A. WENDLING	8	MICHAEL A. WENDLING was by me first sworn to
9		9 10	testify to the truth, the whole truth, and nothing but the truth; that his testimony was reduced to
10	STATE OF OHIO)	11	writing by me stenographically in the presence of
11) SS:	12	the witness and thereafter reduced to typewriting;
12	COUNTY OF	13	that the signature of the witness to the deposition
13	Sworn to before me and subscribed in my	14 15	was expressly not waived, and was taken at the time and place hereinafter set forth, pursuant to Notice
14	presence by the same MICHAEL A. WENDLING, this	16	and Agreement of Counsel.
15	day of, 2012.	17	I FURTHER CERTIFY that I am not a rela-
16 17		18	tive nor attorney for either party herein, nor in
18	NOTARY PUBLIC	19	any manner interested in the event of this action.
19	My Commission expires:	20 21	IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this day of July,
20	My Commission expires.	22	2012.
21		23	
22			SUSAN L. BICKERT
23		24	Notary Public, State of Ohio My Commission expires: 8-23-13
24		25	My Commission expires. 6-25-15
	Page 134		
1	PLEASE USE THIS ERRATA SHEET TO MAKE ANY		
1 2	AND ALL CORRECTIONS BY LISTING THE PAGE NUMBER,		
3	LINE NUMBER AND THEN A BRIEF DESCRIPTION OF THE		
4	ERROR. PLEASE DO NOT MAKE ANY MARKS OR CORRECTION	IS	
5	ON THE TRANSCRIPT. IF NEEDED, USE THE BACK OF THIS		
6	SHEET.		
7	UPON COMPLETION, PLEASE SIGN AND DATE THIS		
8	SHEET AT THE BOTTOM. THANK YOU.		
9			
10			
11 12			
13			
14			
15			
16			
17			
18			
19			
20			
21 22			
23			
24			
25	SIGNATURE:DATE:		

34 (Pages 133 to 135)